CIVIL ACTION FILE

NO.: CV418-090

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA SAVANNAH DIVISION

LATARSHIA LEE.

Plaintiff,

vs.

CITY OF WALTHOURVILLE and

DAISY S. PRAY, Individually,

Defendants.

DEPOSITION OF LATARSHIA LEE

January 9, 2019

1:38 p.m.

7 East Congress Street Suite 611A Savannah, Georgia

Mynjuan P. Jones, RPR, CCR-B-1422

Gilbert & Jones

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1	APPEARANCES OF COUNSEL
2	On behalf of the Plaintiff:
3	CHARLES HERMAN, Esq. Charles Herman Law
4	7 East Congress Street Suite 611A
5	Savannah, Georgia 31401
6	
7	On behalf of the Defendants:
8	PATRICIA T. PAUL, Esq. Oliver Maner
9	218 West State Street Savannah, Georgia 31401
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1	INDEX TO EXAMINATIONS		_
2	Examination Page	1	just met. I'm here to take your deposition today.
3	Examination by Ms. Paul 5	-2	This really is not going to last all that long I
4	Examination by Mr. Herman 63 Examination by Ms. Paul 65	3	don't think.
	Examination by Ms. Paul	4	If at any point you want to stop me, tell
7		5	me you'd like a break, please do that. If you want
8		6	to grab a Coke, whatever, let me know and I'll be
9	INDEX TO EXHIBITS	7	most happy to stop.
10	Exhibit Description Page	8	A. Yes, ma'am.
11		9	Q. This court reporter, as able as she is, is
	Exhibit X27 Document titled Full-Time Police 31	10	not able to take down nods of the head or other kinds
12	Officer	11	of nonverbal responses.
13	Exhibit X28 Officer time sheets, tickets 43	12	It's important for you to say everything
1.5	written, and e-mails	13	out loud using words rather than a grunt or something
14		14	like that. Okay?
1	Exhibit X29 Job description and documents 54	15	A. Yes, ma'am.
15	from employment file		· · · · · · · · · · · · · · · · · · ·
16		16	Q. If at any point you don't hear a question
"		17	or you want me to rephrase or repeat my question or
17		18	speak louder, whatever, you just stop me, tell me,
1	(Original Exhibits X27 through X29 have been	19	and I will do that.
18 19	attached to the original transcript.)	20	If you don't stop me, I'm going to presume
20		21	that you heard my question and that your answer was
21		22	responsive to the question that I asked. Is that
22		23	okay?
23		24	A. Yes, ma'am.
24 25		25	Q. Will you state your full name, please.
	GILBERT & JONES		GILBERT & JONES
1	4		6
1	(Reporter disclosure made pursuant to	1	A. Latarshia Marsha Lee.
2	Article 10.B. of the Rules and Regulations of	2	Q. How do you spell Latarshia?
3	the Board of Court Reporting of the Judicial	3	A. L-a-t-a-r-s-h-i-a.
4	Council of Georgia.)	4	Q. Have you ever spelled it with a c-h-i-a?
5	LATARSHIA LEE,	5	A. Yes, I have.
6	having been first duly sworn, was examined and	6	Q. Why are there various spellings of your
7	testified as follows:	7	name?
8	MS. PAUL: This is the deposition of	8	A. I grew up spelling it with a C. On my
9	Latarshia Lee, taken in the case of Latarshia	9	birth certificate it's an S.
10	Lee versus City of Walthourville and Daisy S.	10	Q. Have you been known by any other names?
11	Pray, individually, pending in the United States	11	A. No.
12	District Court, for the Southern District of	12	Q. I ask this of everybody. Sitting here
13	Georgia, Savannah Division, bearing Civil Action	13	today are you under the influence of any kind of
	Number CV418-090.	14	medications, anything which might affect your ability
14		15	
15	Ms. Lee, my name is Patty Paul. We just	l	to hear and understand my questions?
16	met. This deposition is being taken for the	16	A. No, ma'am.
17	purpose of cross-examination and for all	17	Q. Where do you live?
18	purposes permissible under the Federal Rules of	18	A. I live in Columbia, South Carolina.
19	Civil Procedure.	19	Q. What is your address?
20	Can we stipulate as to the qualifications	20	A. 1405 Legion Drive.
- 21	of the court reporter?	21	Q. How long have you lived there?
.2	MR. HERMAN: Yes.	22	A. Not very long, maybe two months.
23	EXAMINATION	23	Q. What is your ZIP code?
24	BY MS. PAUL:	24	A. 29229 .
25	Q. Ms. Lee, as I said, I'm Patty Paul. We	25	Q. Where did you live before there?
1	GILBERT & JONES		GILBERT & JONES

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		7		9
1	A.	Before I lived there, it was 10 Melrose	1	1 Q. Vescom?
2	Court.	-	2	2 A. Vescom, V-e-s-c-o-m.
3	Q.	Where was that?	3	 Q. What locations did you work for when you
	\ A.	Columbia, South Carolina.	4	4 were with Sizemore?
J	Q.	How long did you live there?	5	5 A. Sizemore, I worked the Brunswick area of
6	A.	I lived there for six months.	6	6 of 341. That's all I know. I don't know the road.
7	Q.	Where did you live before then?	7	7 Q. How long did you work for Sizemore?
8	A.	I lived in Hinesville.	8	8 A. I worked for Sizemore for two years.
9	Q.	At what address?	9	9 Q. Where did you work when you worked wit
10	Ä.	912 Rachel Lane.	10	•
11	Q.	How long did you live there?	11	1 A. I worked in the Brunswick area,
12	Ä.	About a year.	12	•
13	Q.	Where did you live before there?	13	
14	A.	70 Shelby Rae, and that was in Ludowici.	14	
15	Q.	How long did you live there?	15	
16	ą. A.	I lived there for two years.	16	
17	Q.	Where are you from?	17	•
18	Q. A.	I'm from Waycross, Georgia.	18	
19	Q.	Where did you go to school?	19	
	Q. A.			•
20 21		I went to school in Brunswick, Georgia,	20	•
21	Glynn Ac	-	21	
22	Q.	Did you graduate from high school?	22	
23	A.	No. I went back and got my high school	23	<i>z z</i>
24	diploma.		24	,
25	Q.	Was that a GED?	25	
_		GILBERT & JONES	↓	GILBERT & JONES
	Λ	8	١.	10
1	Α.	It was a high school diploma.	1	
2	Q.	When did you obtain that?	2	
3	Α.	February I want to say February 3rd,	3	
4	2011.		4	•
5	Q.	Do you have any educational background	5	
6	• •	n school?	6	
7	Α.	I went to the police academy in Savannah,	7	
8	Georgia.		8	
9	Q.	When did you go there?	9	
10	Α.	2012.	10	•
11	Q.	How old are you?	11	in 2012 other than what we've already discussed?
12	Α.	I'm 40.	12	
13	Q.	Are you married?	13	Q. What are you doing now?
14	Α.	No, ma'am.	14	4 A. I work for Pathway. It's department
15	Q.	Have you ever been married?	15	5 it's behavior department of mental health. I world
16	Α.	No, ma'am.	16	6 for the Pathway House.
17	Q.	With whom do you live?	17	7 Q. Where is that located?
18	Α.	Me and my children.	18	8 A. It's located in Columbia, South Carolina.
19	Q.	What type of work did you do before going	19	9 Q. What do you do for them?
20	to the po	lice academy in 2012?	20	-
R 1	Α.	Security.	21	Q. What does that mean?
2	Q.	Tell me the names of companies you worked	22	. -
23	for in sec	•	23	
رے	Α.	I worked for Sizemore. I worked for	24	
23 24	Α.			
	Vescom.	1 Worked to: Sizzimore: 1 Worked to:	25	

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		11			13		
1	much. I	had to take training to learn how to deal	1	Α.	Yes.		
2		mentally ill.	2	Q.	So how long did you work at the department		
3	Q.	Where did you obtain that training?	3	=	il health?		
	` A.	In Columbia, South Carolina.	4	Α.	For the hospital I worked there for a		
٠,	∕ Q.	Where?	5		nd I transferred over to Pathways.		
6	ą. A.	Department of mental health.	6	Q.	At which hospital did you work?		
7	Q.	How long was that training?	7	٠. A.	It was the psychological hospital.		
8	٠. A.	That training was three weeks.	8	Q.	In Columbia?		
9	Q.	At the end of those three weeks, were you	9	٠. A.	Yes, ma'am, Brian Center.		
10	•	obtain a behavioral health associate	10	Q.	Why did you transfer over?		
11	certificat		11	ų. A.	They needed help at Pathways so my		
12	A.	Uh-huh.	12		or transferred me to Pathways.		
13	Q.	Your answer is yes?	13	Q.	What did you do before obtaining your BHA?		
14	Q. A.	Yes.	14	Q. A.	I was doing like on-call jobs for the		
15	Q.	Okay.	15		worked for, ATC.		
16	Q. A.	Sorry.	16	Q.	What is ATC?		
17	Q.	When did you obtain that training?	17	Q. A.	It's a healthcare facility.		
18	Q. A.	November 2018.	18	Q.	Where?		
1	Q.		19	Q. A.			
19	_	When did you start working for Pathway			In Columbia, South Carolina.		
20	House?	•	20	Q.	What type of work would you do for them?		
21	A.	I recently just started a month ago,	21	Α.	I was doing private sitting.		
22	Decembe		22	Q.	From when to when you did do private		
23	Q.	How much do you make working for Pathway	23	sitting fo			
24	House?		24	Α.	I still work for them. Like if I'm not at		
25	Α.	\$10.	25	work at	Pathways and they call and have a job come		
()		GILBERT & JONES			GILBERT & JONES		
1	. 0	12			14		
1	Q.	Per hour?	1	-	at they need help, I go there and do the		
2	Ā.	Per hour? Yes, ma'am.	2	private s	it they need help, I go there and do the sitting.		
2	A. Q.	Per hour?	2	private s	at they need help, I go there and do the		
2 3 4	A. Q. them?	Per hour? Yes, ma'am. How many hours a week do you work for	2 3 4	private s Q. ATC?	at they need help, I go there and do the sitting. About how often per week do you work for		
2 3 4 5	A. Q. them? A.	Per hour? Yes, ma'am. How many hours a week do you work for 30.	2 3 4 5	private s Q. ATC? A.	at they need help, I go there and do the sitting. About how often per week do you work for Sometimes three to four days a week.		
2 3 4 5 6	A. Q. them? A. Q.	Per hour? Yes, ma'am. How many hours a week do you work for 30. Is that part-time?	2 3 4 5 6	private s Q. ATC? A. Q.	t they need help, I go there and do the sitting. About how often per week do you work for Sometimes three to four days a week. How long during the day?		
2 3 4 5 6 7	A. Q. them? A. Q. A.	Per hour? Yes, ma'am. How many hours a week do you work for 30. Is that part-time? Yes, ma'am.	2 3 4 5 6 7	private s Q. ATC? A. Q. A.	st they need help, I go there and do the sitting. About how often per week do you work for Sometimes three to four days a week. How long during the day? From 4:00 to 12:00. 4:00 in the evening		
2 3 4 5 6 7 8	A. Q. them? A. Q. A.	Per hour? Yes, ma'am. How many hours a week do you work for 30. Is that part-time? Yes, ma'am. Could you obtain full-time work through	2 3 4 5 6 7 8	Private s Q. ATC? A. Q. A. to 12:00	About how often per week do you work for Sometimes three to four days a week. How long during the day? From 4:00 to 12:00. 4:00 in the evening midnight.		
2 3 4 5 6 7 8 9	A. Q. them? A. Q. A. Q. Pathway	Per hour? Yes, ma'am. How many hours a week do you work for 30. Is that part-time? Yes, ma'am. Could you obtain full-time work through House if you wanted it?	2 3 4 5 6 7 8 9	Private s Q. ATC? A. Q. A. to 12:00 Q.	st they need help, I go there and do the sitting. About how often per week do you work for Sometimes three to four days a week. How long during the day? From 4:00 to 12:00. 4:00 in the evening		
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2 3 4 5 6 7 8 9 10	A. Q. them? A. Q. A. Q. Pathway A. do.	Per hour? Yes, ma'am. How many hours a week do you work for 30. Is that part-time? Yes, ma'am. Could you obtain full-time work through House if you wanted it? Yes, ma'am. That's what we're looking to	2 3 4 5 6 7 8 9 10 11	Private s Q. ATC? A. Q. A. to 12:00 Q. ATC? A.	they need help, I go there and do the sitting. About how often per week do you work for Sometimes three to four days a week. How long during the day? From 4:00 to 12:00. 4:00 in the evening midnight. How much do you receive for working for The \$10.		
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1	Q.	Three times a week, that's from 4:00 p.m.	1	A. Yes.					
2	to midni	•	. 2.						
3	A.	Yes.	3	A. Columbia police department, Sizemore					
	\ Q.	Has your wage always been \$10 an hour with	4	security, Allied security. That's all I can think of					
,	them?	nus your mage annays seen 420 an near man	5	right now.					
6	Α.	Yes, ma'am.	6	Q. Why didn't you go to work for the Columbia					
7	Q.	Before ATC where did you work?	7	police department?					
8	Α.	AllCaregivers.	8	A. Because my certification is with Georgia					
9	Q.	Where are they located?	9	and I would have to get everything from Georgia					
10	A.	Columbia, South Carolina.	10	transferred to South Carolina.					
11	Q.	When did you work for them?	11	I would have to be already hired on with					
12	A.	I started working for them in May of 2018.	12	the police department in South Carolina, so that					
13	Q.	How long did you work for them?	13	right there became an issue.					
14	A.	I worked for them for about three months.	14	Q. Why did you move to South Carolina?					
15	Q.	What did you do for them?	15	A. My daughter lives in South Carolina.					
16	A.	Private sitting.	16	Q. So you couldn't have been hired by					
17	Q.	How often per week would you work for	17	Columbia and then transferred your certification?					
18	them?	•	18	A. No, ma'am. When I did when I went out					
19	Α.	How often? With them I did 40 hours a	19	myself and I was trying to do the research to get					
20	week.		20	everything, you know, squared away in Columbia and I					
21	Q.	At what wage rate?	21	went to POST myself because I was searching for work					
22	Ä.	I was at \$9.	22	in Columbia and I spoke with Ms. Kim at POST.					
23	Q.	Why did you leave them?	23	And she told me I would have to already be					
24	Ä.	I transferred over to ATC, took training	24	with a police department before I could come to the					
25	with the	m, started working with them.	25	academy.					
			23	academy.					
		GILBERT & JONES	23	GILBERT & JONES					
		_	23	- I					
1	Q.	GILBERT & JONES	1	GILBERT & JONES					
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1	Q.	GILBERT & JONES	1	GILBERT & JONES 18 So I tried to get on with the City of					
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1 2 3	Q. work? A. Q.	GILBERT & JONES 16 Before AllCaregivers for whom did you I was looking for work. Did you have to have any kind of special to work for AllCaregivers?	1 2 3	GILBERT & JONES 18 So I tried to get on with the City of Columbia. I tried to do Irmo police department, and by my certification being from Georgia, I was having a little difficulties trying to get it transferred over to South Carolina.					
1 2 3 4	Q. work? A. Q. training A.	GILBERT & JONES 16 Before AllCaregivers for whom did you I was looking for work. Did you have to have any kind of special to work for AllCaregivers? No, ma'am. I just had to take a PCA test.	1 2 3 4	GILBERT & JONES 18 So I tried to get on with the City of Columbia. I tried to do Irmo police department, and by my certification being from Georgia, I was having a little difficulties trying to get it transferred over to South Carolina. Q. You did not try to work for another police					
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25 time?

GILBERT & JONES

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Q. I don't know --

- A. I'm certified to be a police officer. So as long as I have my POST certification for Georgia, you can work for the sheriff's office.
 - Q. Why did you not get a job offer with these Georgia departments you have mentioned?
 - A. I really don't know.
- Q. Did you have your POST certification at the time you applied for these positions?
 - A. Yes, ma'am.

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know.

- Q. Were there jobs available when you applied for positions at these --
- 12 A. Yes, ma'am.
- Q. And you didn't hear why they did not hire you?
- A. No, ma'am. And I took it upon myself I
 would call -- I called myself and I called so much
 I'm quite sure they got tired of me calling. I don't
- Q. Let me ask a couple of other background questions. Are you a member of any civic organizations?
- 22 A. No, ma'am.
 - O. How about a church?
- 24 A. No, ma'am.
- 25 Q. Did you belong to a church in Georgia when GILBERT & JONES

1 city?

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- A. No, ma'am.
- Q. So I'll call it the City and I mean
- 4 Walthourville for my next few questions or for the5 rest of this deposition.
 - When did you start with the City?
 - A. February 9th, 2015.
- Q. You went to the police academy you said in 9 2012, right?
- 10 A. Yes, ma'am.
 - Q. Did you do any kind of police work at all
- between 2012 and starting with the City in February of 2015?
- 14 A. I did some police training with the City
- 15 of Brunswick.16 O. What kind of police training?
 - A. I was a candidate for the City of
- 18 Brunswick. That's where I actually started out at.
- 19 Q. Why did you not go to work for them, or 20 did you?
- 21 A. I did -- the only thing I did was some
- 22 upstairs training with them but I never worked for
- 23 them. I started working for -- my real police job
- 24 was the City of Walthourville.
- 25 Q. Why did you not go on to work for GILBERT & JONES

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- 1 you lived in Georgia?
 - A. No, ma'am.
- Q. How about any civic organizations, were you a member of any while you lived in Georgia?
- 5 A. No, ma'am.
- ${\bf 6} \hspace{1cm} {\bf Q.} \hspace{1cm} {\bf Have \ you \ ever \ committed \ a \ crime \ more}$
- 7 serious than a traffic offense?
 - A. Yes, ma'am.
- 9 Q. What was that?
- 10 A. Back in 2001 I was in a bad relationship,
- 11 a very abusive relationship, and I got into it with
- 12 my child's father and the police was called and from
- 13 there I went to jail.
 - Q. How long were you in jail?
- 15 A. I wasn't in -- maybe a day.
 - Q. Where was the jail?
- 17 A. In Glynn County.
- 18 Q. Where did you work before working for the
- 19 City of Walthourville?
- 20 A. I worked for Vescom. No, no, no. I

 R1 worked for Sizemore because I was doing both at the
- .2 same time and I started working more hours with the23 City of Walthourville so I let Sizemore go.
- 25 City of Walthout vine 30 1 let 3/2emore go.
- Q. When you started with the City of
- 25 Walthourville -- have you ever worked for any other GILBERT & JONES

- Brunswick after starting training with them?
- 2 A. I decided to work somewhere besides where 3 I lived at.
- 4 Q. Would you have made more for Brunswick 5 than Walthourville?
 - A. Yes, ma'am, I believe I would have.
- 7 O. So you just didn't want to live in
- 8 Brunswick or --
- 9 A. I was ready to leave Brunswick, yes, I
- 10 was.

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- 11 Q. Did you complete your training with the
- 12 City of Brunswick?
 - A. Yes, ma'am, I done everything.
 - Q. Did they offer you a job at the end of
- 15 your training?
- 16 A. No, ma'am. I went to -- I completed the
- 17 academy and I went -- after I got finished with the
- 18 academy, I went to the City of Walthourville. I was
- 19 still in the academy when I was taking training with
- 20 the City of Brunswick.
 - O. How long does the police academy last?
 - A. Mine was 18 weeks but I had to take some
- 23 extra courses.
- Q. Did you start it in 2012 or finish in
- 25 **2012?**

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Α. I finished in '13.

2.... 0. So what did you do between 2013 and

- starting with Walthourville in February of 2015?
 - Α. What -- could you repeat that.
 - Q. You finished the police academy in 2013
- vou said? 6

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- 7 Α. Uh-huh.
- 8 Ο. **Did you leave Brunswick shortly**
- thereafter? 9
- 10 Α. Yes, I did. Because as soon as I
- 11 graduated out the police academy, I was actually
- getting ready to sign up for more classes in 12
- 13 Hinesville. Because the school that I wanted to go
- through was in Hinesville. 14
- 15 So I actually passed through
- Walthourville. I had never heard of it before. I 16
- 17 passed through Walthourville going back home and I
- 18 seen the police station so I pulled over and I went
- inside and I got an application I filled out and I 19
- 20 just went from there.
- 21 0. But you started in February of 2015,
- right? 22
- 23 Α. Uh-huh.
- 24 Q. My quandary is trying to understand what
- 25 you did between finishing the police academy in 2013 **GILBERT & JONES**

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- and started with Walthourville in February of 2015?
- 2 Α. I was working.
- 3 Q. With Sizemore?
- 4 Α. Uh-huh.
- 5 Q. Your answer is yes?
- 6 Α.
- 7 Ο. What kind of additional classes did you
- take in Hinesville? 8
- 9 Α. I wanted to complete my -- I wanted to
- 10 further my education in law enforcement.
- Q. So what did you do to that end? What did 11
- 12 vou do?
- Α. I never took the class. I started 13
- working. 14

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- So when you left as a trainee for the City 15
- of Brunswick, did you make more or less when you went 16
- 17 to work for Sizemore?
- 18 Α. Less.
 - Q. Why did you leave Brunswick for Sizemore?
- 20 Α. I didn't really leave. I wasn't an
- officer there. When I left the City of Brunswick, I 2 was still in the police academy.
- 23 Once I got out the police academy, that's
- 24 when I started working for the City of Walthourville.
 - But not until two years later?

GILBERT & JONES

- Α. Uh-huh.
 - Q. When you went to work for the City of

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- Walthourville, what job did you obtain?
- 4 I was a police officer.
- 5 Q. Was that always your job with the City of
- Walthourville? 6
- 7 Α. Yes, ma'am.
 - Were you part-time when you started? Q.
- 9 Α. Yes, ma'am.
- 10 Q. At what point did you become full-time, if
- you remember? 11
 - Α. I don't remember.
- 13 MS. PAUL: Off the record.
 - (Discussion off the record.)
- 15 (By Ms. Paul) As a peace officer in
- Georgia you were required to complete training each 16
- 17 calendar year, true?
 - Α. Yes, ma'am.
- 19 Is it your understanding that any peace
- officer in Georgia who does not fulfill the training 20
- 21 requirements shall lose their power of arrest?
- 22 Α. Yes, ma'am.
 - Q. Is it your understanding that any peace
- 24 officer in Georgia who does not comply with
- 25 requirements of POST shall not be authorized to

GILBERT & JONES

exercise the powers of a law enforcement officer

- generally and not be authorized to exercise the power
- 3 of arrest?
 - Α. Yes, ma'am.
- 5 And is it your understanding that a waiver
- of the training requirement may be granted by POST in 6
- its discretion upon the presentation of evidence by a 7
- peace officer that he or she was unable to complete R
- such training due to medical disability, providential 9
- cause, or other reason deemed sufficient by the
- 10
- 11 council?

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- 12 MR. HERMAN: Objection.
- 13 (By Ms. Paul) If you know.
 - MR. HERMAN: It's a legal conclusion.
- 15 (By Ms. Paul) Did you understand the Q.
- 16 question?
- 17 MR. HERMAN: Do you understand it?
- THE WITNESS: I understand. No. 18
- 19 (By Ms. Paul) Did you have to become
- familiar -- I'm getting these questions straight off 20
- 21 the POST Web site under portions of the Georgia code
- 22 having to do with the employment and training of
- 23 peace officers, Title 35, Chapter 8.
- 24 Did you have to become familiar with
- 25 Georgia law provisions regarding employment and

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1 training of peace officers when you were in the

2 police academy?

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A. Yes.

Q. Is this or is this not your understanding,
if you have an understanding, that a waiver of the
requirement of training provided in this Code Section
35-8-21 may be granted by the Georgia Peace Officer
Standards and Training Council in its discretion upon
the presentation of evidence by a peace officer that

10 he or she was unable to complete such training due to

medical disability, providential cause, or other

12 reason deemed sufficient by the council?

13 A. Yes.

Q. Persons employed or appointed by a municipality authorized to use speed detection devices shall be required to be certified by POST as qualified speed detection device operators, true? I can repeat it if you want.

19 A. Yes, please.

Q. Persons employed or appointed by a
municipality authorized to use speed detection
devices shall be required to be certified by POST as
qualified speed detection device operators, true?

24 A. True.

25 Q. Should any person fail to complete
GILBERT & JONES

equipment for the purpose of law enforcement action

29

2 in Georgia, a peace officer must acquire and maintain

3 certification in the manner required by POST?

4 A. Yes

Q. And a peace officer acquires RADAR or

6 LIDAR certification through training?

7 A. Yes

Q. You have taken training courses for RADAR

9 and/or LIDAR certification, true?

10 A. Yes, I have.

Q. How many times?

12 A. Twice.

Q. When did you go through the training the

14 first time?

15 A. The first time it was with the police

16 academy. The second time, I'm not for certain when I

17 did that.

18 Q. So when you were at the police academy

19 we've already established was 2012 or 2013; is that

20 right?

21 A. Yes, ma'am.

22 Q. The second time was while you were

23 employed by the City of Walthourville?

24 A. Yes, ma'am.

25 Q. Why did you not obtain the certification

GILBERT & JONES

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successfully the training requirements for operation

2 of speed detection devices, he or she shall not

3 perform any functions related to the use of the

4 devices until such training shall have been

5 successfully completed and until such time as POST

6 shall issue appropriate certification, true?

7 A. True.

Q. You have not been RADAR or LIDAR

9 certified, true?

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A. True.

Q. Would you agree that RADAR is a type of speed detection device used to enforce speed limits

13 in this state?

A. Yes.

15 Q. RADAR stands for radio detection and

16 ranging?

A. Yes.

18 Q. Would you agree that LIDAR is a type of

19 speed detection device used to enforce speed limits

20 in this state?

A. Yes

Q. LIDAR stands for light detection and

23 ranging?

24 A. Yes

Q. Prior to operating RADAR or LIDAR GILBERT & JONES

30 when you took the training through the police

2 academy?

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A. I failed.

4 Q. Why did you not obtain the certification

when you took it while you were employed with the

6 City of Walthourville?

7 A. I failed

8 Q. Do you recall when you took it when you

9 were employed by the City of Walthourville?

10 A. No, ma'am.

Q. Was that training paid for by the City?

12 A. Yes, ma'am.

Q. When you were with the police academy, was

14 it training for RADAR or LIDAR or both?

15 A. It was for both.

Q. How about when you were with the City and

17 you took the training?

A. It was for both.

Q. Without such certification were you able

20 to enforce the traffic laws regarding speeding?

21 A. No.

Q. As I was researching this I saw mention of

23 another type of speed detection device, a visual

24 average speed computer and recorder, or VASCAR. Have

25 you ever heard of that?

- 1 A. No, ma'am.
- 2 Q. You don't have training in that, correct?.....
- 3 A. No, ma'am.

(Exhibit X27 was marked for

identification.)

- 6 Q. (By Ms. Paul) Ms. Lee, let me show you
- 7 what's been marked as X27 and ask if you've ever seen
- 8 this before?
- 9 A. I don't recall seeing this.
- 10 Q. Was the City of Walthourville advertising
- 11 to hire a full-time police officer in July of 2017;
- 12 do you know?
- 13 A. No, ma'am, I don't know.
- 14 Q. I realize you have not seen this before.
- 15 It lists, second line from the top, essential
- 16 functions and it has a little star, "patrols to
- 17 detect and deter criminal activity and traffic
- 18 violations."

Do you see that, the second line from the top, halfway through the line, essential functions?

- 21 Do you see that?
- 22 A. Yes.
- 23 Q. I'll read it again. "Essential functions,
- 24 patrols to detect and deter criminal activity and
- 25 traffic violations." Did I read that correctly?

GILBERT & JONES

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- 1 A. Yes.
- 2 Q. Do you agree that that's an essential
- 3 function of a full-time police officer with the City
- 4 of Walthourville?

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- A. Yes.
- 6 Q. Is speeding a type of traffic violation?
- 7 A. Yes, it is.
- 8 Q. And as a police officer for the City of
- 9 Walthourville you were not certified to detect and
- 10 stop speeders, true?
- 11 A. True.
- 12 Q. Would you agree that throughout your
- 13 employment with the City of Walthourville it was
- 14 always an essential function of the job, patrols to
- 15 detect and deter criminal activity and traffic
- 16 violations?
- 17 A. Yes.
- 18 Q. The second full paragraph on that page,
- 19 the last seven words of that paragraph, under
- 20 education, the last seven words of that paragraph
- says -- well, the full sentence says "must be a
 - graduate of law enforcement academy and be State of
- 23 Georgia POST certified." Do you see that?
- 24 A. Yes
- Q. Was that a qualification throughout your GILBERT & JONES

- 1 employment to be a police officer for the City of
- 2 Walthourville that you be State of Georgia POST
- 3 certified?
- 4 A. Yes
- 5 MS. PAUL: Madam Court Reporter, may I dig 6 out Exhibit 5.
 - out Exhibit 5.
- 7 Q. (By Ms. Paul) Let me show you what's
- previously been marked as Exhibit 5. Let me give you
- 9 a moment.
- 10 I'm going to be asking you right now
- 11 specifically about the second to the last page. Take
- 12 as much time as you want --
- 13 MR. HERMAN: Read the whole document.
- 14 MS. PAUL: Off the record.
- 15 (Off the record.)
- 16 Q. (By Ms. Paul) Actually let me -- let's
- 17 start with --

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- 18 MR. HERMAN: We're back on the record?
- 19 MS. PAUL: Yes.
- 20 O. (By Ms. Paul) Let's start with like six
- 21 or seven pages in. Go down until you see City 76 on
- 22 the bottom right. Have you seen this before?
 - A. I can't recall.
- 24 Q. Okay. Have you ever received
- 25 correspondence that you know of or spoken with Jeff

GILBERT & JONES

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- 1 Miller at the Georgia Peace Officer Standards and
- 2 Training Council?
- 3 A. Have I spoke with him?
- 4 Q. Yes.
 - A. Not that I can recall.
- 6 Q. Let me ask you about the substance of this
- 7 letter, whether or not you've seen it before. Let's
- 8 go to the second paragraph of the letter.
- 9 The first sentence says "due to a training
- 10 deficiency in 2015, Ms. Lee had no arrest authority
- 11 as a peace officer from January 1, 2016, to February
- 12 **12, 2016." Was that true?**
 - A. Yes.
 - O. The next sentence was "that matter was
- 15 cleared up with a training waiver on February 12,
- 16 2016, per POST records, and her authority was
- 17 restored." Is that true?
 - A. Yes
- 19 Q. Now, the next sentence, "now, due to a
- 20 training deficiency in 2017, Ms. Lee has no arrest
- 21 authority as of January 1, 2017."
 - Was that true as of the date of the
- 23 letter, January 10, 2018? Actually you had no arrest
- 24 authority as of January 1, 2018; is that correct?
 - 5 This says 2017. I think you were just confused by

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- 1 the year.
- 2.... A.....So this is for 2018?.........
 - Q. Let me ask you straight out. Did you lose your arrest authority again January 1, 2018, because of a training deficiency?
- 6 A. **Yes.**
- 7 O. When was that restored?
- 8 A. I can't recall the date.
- 9 Q. Was it January of 2018 or at some later
- 10 date?

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- 11 A. I can't recall.
- 12 Q. When was your last day of employment with
- 13 the City of Walthourville?
 - A. The 22nd of January.
- 15 Q. Did you have POST certification as of
- 16 January 22, 2018?
- 17 A. No, ma'am.
- 18 Q. So from January 1, 2018, through at least
- 19 January 22, 2018, you had no arrest authority,
- 20 correct?
- 21 A. No, ma'am.
- 22 Q. What I said was correct or was incorrect?
- 23 From January 1, 2018, to January 22, 2018, at least
- 24 through January 22, 2018, you lacked arrest
- 25 authority, correct?

GILBERT & JONES

- A. Yes
- 2 O. Let me turn your attention to the very
- 3 first page of this Exhibit 5, please. It's marked on
- 4 the bottom City 71. Have you ever seen this page
- 5 before?

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- 6 A. I can't recall seeing this.
- 7 Q. Whether or not you've seen it before, the
- 8 top of the letter, the date appears to be February
- 9 7th, 2018, and the bottom of this page seems to say
- 10 Melissa A. Jones.
 - Let me ask you about the items which are
- 12 represented to be facts and see if you agree with
- 13 them or not. Okay?
 - Let's go to the middle of the page where
- 15 it says incidents. The word incidents is underlined.
- 16 A. **Yes**
- 17 Q. The first sentence, "Ms. Lee was suspended
- 18 by the Georgia Peace Officer Standards and Training
- 19 Council in 2016 due to the fact that she did not
- 20 complete her State mandated training." That was
- 1 true, correct?
- 2 A. Yes.
- Q. The next sentence, "the suspension was
- 24 effective from January 1, 2016, to February 12, 2016,
- 25 during which time she was paid for working 294

GILBERT & JONES

- 1 hours." Is that true?
 - A. I can't recall.
- Q. The next sentence, "Ms. Lee never reported
- 4 her suspended status to the City of Walthourville."
- 5 Is that true?
 - A. No, ma'am, that's not true.
- 7 Q. To whom did you report the suspension?
 - A. My supervisor and the chief of police knew
- 9 about it.
- 10 Q. Did you continue to exercise law
- 11 enforcement powers including arrest authority during
- 12 the time when your certification was suspended from
- 13 January 1, 2016, to February 12, 2016?
 - A. Once I found out about it, I correct the
- 15 situation. The day that I found out about it, it was
- 16 up and running the next day.
 - Q. But you had actually lost it after January
- 18 1, 2016, correct?
- 19 A. Yes.
 - Q. Between January 1 and February 12, 2016,
- 21 did you act as a police officer?
- 22 A. Yes.
 - Q. During that time you were actually without
- 24 law enforcement authority, correct?
- 25 A. Arrest powers.

GILBERT & JONES

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- 1 Q. Did you have the power to exercise any
- 2 other powers of a law enforcement officer generally
- 3 between January 1, 2016, and February 12, 2016?
 - A. No.
 - Q. Would you agree with the sentence, still
- 6 in that same paragraph, it's five lines down, it says
- 7 the suspension status. You see where I'm reading?
 - A. Yes.
- 9 Q. "The suspension status by the State of
- 10 Georgia revoked Ms. Lee's arrest powers, making her
- 11 unable to perform her duties as a police/peace
- 12 officer." Would you agree with that?
- 13 A. Yes
- ${\sf Q}.$ The next sentence, "Ms. Lee continued to
- 15 work, never reporting her suspended status which
- 16 exposed the City of Walthourville, potentially
- 17 exposing the City to liability for any potentially
- 18 illegal arrests or stops." Would you agree with
- 19 that?
- 20 A. Yes.
- 21 O. The next sentence, "the human resources
- 22 administrator found out about the 2016 suspension on
- 23 December 26, 2017." Do you know whether or not
- 24 that's true?
 - A. I can't recall that.

GILBERT & JONES

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- How about the next paragraph, "on January 1
- . 2 10, 2018, the Georgia Peace Officer Standards and
- Training Council informed the human resources administrator that Ms. Lee again had no arrest
 - authority as a police officer within the state of
- Georgia due to a training deficiency." Do you know
- whether or not that's true? 7
- 8 Α. Yes.
- 0. The next sentence, "Ms. Lee did not inform 9
- 10 the City of Walthourville that she was unable to
- 11 perform the job that she was hired to do." Was that
- 12 true?

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- 13 A.
- 14 0. Who did you inform that you didn't have
- .15 arrest authority in 2018?
 - A. My supervisor and the chief of police.
 - Q. When did you let them know that?
- 18 Α. Once I found out about it.
- 0. 19 You knew January 1, didn't you, that you
- 20 hadn't completed your training, correct?
- 21 Α. I was completing my training. I was on
- 22 sick leave and I completed all of my training. The
- 23 only thing that I had to do was pay my waiver fee,
- 24 and I couldn't pay my waiver fee because they didn't
- 25 pay me my paycheck. So I couldn't pay my waiver fee **GILBERT & JONES**

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- because I didn't have the funds to pay it. 1
 - Until you paid your waiver fee, did you
- 3 have arrest authority in 2018?
- 4 Α.
 - Ο. And you knew that from the moment you --
- until you paid the waiver fee, you knew that you 6
- 7 wouldn't have arrest authority, right?
 - A. Correct.
- 9 Ο. Whom did you tell -- well, you mentioned
- 10 that you told your supervisor and Interim Chief
- 11 **Burgess?**
- 12 No. At that time my supervisor knew about 13 it and Quarterman knew about it before he left.
- 14 Q. Well, in 2017 you still had arrest
- authority, right? 15
- 16 Α. Yes.
- 17 Ο. And Quarterman left when?
- 18 Α. I don't know.
 - Keep flipping until you get to Page City Q.
- 20 77. You're familiar with this page, aren't you?
 - Α.
 - Q. That's an e-mail from you?
- 23 Α. Yes.
- Q. I was curious about the second sentence of 24
- the letter. Well, let me read the first sentence

GILBERT & JONES

too. "I have been under medical since December 26th,

41

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- 2017. I have not conducted any law enforcement
- 3 duties since this date."
- 4 Was this an e-mail you sent to Ms. Jones
- 5 in 2018?
 - Α. No.
- When did you send it? 7 Q.
 - '17. It was in December '17.
- 9 0. This was not something you sent around
- 10 January 22 of 2018?
- 11 Yes, because I was trying to get paid to
- 12 pay my waiver fee. I do apologize. I was trying to
- 13 get paid to pay my waiver fee. And so that's when I
- had sent this over to Ms. Jones. 14
- 15 Q. And the reason you wrote in here, second
- 16 sentence, "I have not conducted any law enforcement
- 17 duties since this date," that's because you weren't
- 18 authorized to perform any since you hadn't paid the
- 19 waiver fee, right?
 - Α. And that was because I hadn't been on duty
- 21 either, so I hadn't made no stops, no arrests or
- 22 anything like that. Yes, and because I couldn't pay
- 23 my waiver fee. So I wasn't at work because I was
- 24 out.
 - Q. Had you received anything from POST in

GILBERT & JONES

- 2018 saying your POST arrest authority was suspended? 1
 - Α. No, ma'am.
- 3 You just knew since you hadn't been -- you
- hadn't finished your training at the end of December
- 31st, 2017, you hadn't finished your training,
- correct? 6
- 7 Α. I want to say it was two hours I was
- 8 lacking, but while I was out on sick leave I was
- 9 doing my training and I completed my training.
- 10 I just couldn't pay for my waiver fee so
- 11 that caused -- it caused me to not being able to pay
- 12 for it -- you know, get everything done as soon as
- 13 possible.
- 14 I hear you. And no one had to tell you Q.
- that without paying the waiver fee after finishing 15
- 16 the training in 2018 that you couldn't exercise
- 17 arrest powers?
- 18 MR. HERMAN: Objection, form.
- 19 (By Ms. Paul) No one had to tell you
- 20 that, right, you knew that?
 - Α. Yes.
 - Q. In 2016 when you hadn't finished your
- training for 2015, no one had to tell you at the 23
- 24 beginning of 2016 that you didn't have arrest
- 25 authority, did they?

GILBERT & JONES

21

Α.

Yes.

GILBERT & JONES

strike that.

GILBERT & JONES

violations having to do with speed, right? 18

> Α. No. ma'am.

What I said is correct? Q.

Α. That's correct.

Q. And you took the RADAR and LIDAR course

when you worked for the City of Walthourville so that

you could enforce those type of traffic laws, 24

25 correct?

19

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GILBERT & JONES

Ο. Let's read the next paragraph. "You have

19 a history of being deficient in your training.

Allegedly you were without law enforcement powers 20

21 from January 1, 2016, to February 12, 2016, due to a

22 training deficiency. Despite having no law

enforcement powers during this period, you continued 23

to work, make arrests, and receive pay from the City 24

of Walthourville." Did I read that correctly?

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A. 1 Vec.

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Q. Was all of that true?

A.

Q. Let me read out loud the next paragraph.

"Further, our records indicate that were" -- there's a typo. I'll read it again.

"Further, our records indicate that were provided written notice of emergency suspension from POST on or about February 3, 2016."

Let me stop there. Were you provided written notice of an emergency suspension from POST on or about February 3, 2016?

Α. I don't recall receiving anything.

14 Q. At some point you said your supervisor and 15 the chief let you know?

Α. Uh-huh.

> Q. Your answer is yes?

Α. 18 Yes.

> Q. The next sentence, "notwithstanding receiving actual notice of a suspension of your law enforcement powers, you logged 96 hours for the pay period between February 3, 2016, and February 16, 2016. Pursuant to O.C.G.A. 35-8-21 (d) and (g), you would have been without powers of arrest and have been unable to perform your duties as an officer of

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(By Ms. Paul) You can answer it again. Q.

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54

Α. My supervisor and chief of police.

0. And the supervisor was who?

Sergeant Wright and Chief Quarterman. Α.

6 Q. And you don't remember when you told them?

7 Α. No, I don't.

answered.

0. The next sentence says "we are a small

9 city. The absence of one officer seriously hampers

10 our ability to protect the citizens and property."

Do you agree with that? 11

> Α. Yes.

13 O. The next sentence says "we are also unable to plan and schedule officers to cover shifts without 14 accurate, correct, and truthful knowledge of an 15 16 officer's ability to perform their duties." Do you agree with that? 17

> Α. Yes.

19 Q. That's all I have on that one. Do you 20 remember in 2016 when it was in February that you would have been told by your supervisor and by Chief 21 Quarterman that you were suspended? Would it have 22

23 been around February 3 or would it have been about

24 February 16 or when?

25 I'm not for sure. I can't remember.

GILBERT & JONES

the City of Walthourville. Working during this period potentially exposed the City to liability for any potentially illegal arrests or stops you may have made during this period." Do you disagree with any part of that?

GILBERT & JONES

MR. HERMAN: Objection, asked and answered.

Q. (By Ms. Paul) You can answer.

A. No.

0. Let's go to the next page. It says, the first sentence, "you allegedly did not inform anyone within the City of your suspension in 2016 and did not do so with the most recent suspension." Do you disagree with that?

MR. HERMAN: Objection. It's two separate statements she's being asked to agree to, so it's compound. Form.

(By Ms. Paul) You can answer. Do you disagree with the first sentence of the second page there, City 80?

Α. I didn't know about the suspension back in 2016.

23 Ο. With the 2018 suspension, whom did you 24 notify and when?

> MR. HERMAN: Objection, asked and **GILBERT & JONES**

Look at City 82. Still in Exhibit 5. 1 2 City 82. That page starts continuing on with the previous paragraph but let me ask you about the first 3 full paragraph on that page. 4

5 It says "finally, in an effort to explain 6 away your deficiency, you apparently altered a 7 doctor's note from the Lexington Medical Center."

I'll continue to read. "We asked you to

9 provide some form of supporting documentation to 10 clear up the apparent altered notes but none was 11 forthcoming. Please note that we did not inquire as 12 to the nature of your condition, just a written 13 excuse for the absences."

(Exhibit X29 was marked for 14 15

identification.)

(By Ms. Paul) Ms. Lee, let me show you 16 17 Exhibit X29. I'm specifically asking you about --

well, let me give you a chance to read it, okay, so 18

look through it. 19

Α.

20 Ms. Lee, let me direct your attention to the fourth page of that exhibit. Have you seen these 21

22 before?

Yes. 24 Ο. What are they?

Doctor's excuses.

GILBERT & JONES

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Q. These are doctor's excuses you turned in 1 to the City? 2

3 Α. Yes.

> The doctor's excuse on the bottom from the **Lexington Medical Center, that covered the days** 12/28, 12/29, and 12/30?

7 Α. Uh-huh.

8 0. Your answer is ves?

9 Α. Yes. I'm sorry.

10 0. And that was related to a visit you had at **Lexington Medical Center emergency department on** 11

12/28? 12

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13 Α. Yes.

14 0. Do you remember exactly when you turned

that excuse in? 15

16 Α. No. I don't.

> Q. Let's go to -- I'm sorry the pages aren't numbered. Let's go two pages past that. In the middle of the page, there are -- no. It's a page before that. I'm sorry.

Do you see in the middle of the page there 21 an e-mail from Melissa Jones to you dated January 22

23 17th?

24 Α. Yes.

> Q. The first paragraph, "please review the **GILBERT & JONES**

1 all over it, right?

2 A. Uh-huh.

> Ο. Your answer is yes?

4 Yes. I'm sorry.

Q. The prior one three pages back didn't have

57

58

6 void on it, correct?

7 A. Yes.

> 0. And this second excuse has on it -- well,

9 it has to do with treatment on 12/28, right?

10 Α.

> Q. But it also has added on it another day,

12/31, correct? 12

13 Α. Yes.

> Q. How did that come to be?

When she asked me for the December 31st, 15

16 I -- when she sent me the e-mail, I went back to the

hospital, took it back to the hospital. I gave it to 17

the representative. The representative --18

19 Q. You gave what to the representative?

The doctor's excuse that I had already

had. Because I went back and told them that I needed 21

22 it for my job.

23 So I took it back to the representative.

The representative took it to the back and from there 24

25 I had no sight of the doctor's excuse.

GILBERT & JONES

attached document. You submitted several doctor's

2 excuses. However, I do not have one for December

31st. Will you submit that so we can prepare 3

payroll." 4

> Did you receive that e-mail from Melissa Jones on or about Wednesday, January 17?

Α.

Q. Had you submitted her an excuse for

December 31 then? 9

A. I can't recall.

0. Let's flip over to the next page. Do you recognize what is on this next page, this Lexington 12

13 **Medical Center document?**

A. Yes. 14

15 Ο. What is this?

> Α. It's a doctor's excuse.

17 Q. It's a doctor's excuse you submitted to

the City? 18

> Α. Yes.

Did you submit it to the City after you were told by the City they didn't have an excuse for December 31?

23 Α. Yes.

24 And unlike the prior excuse from three

pages back, this excuse has void, void, void, void **GILBERT & JONES**

1- ---Once it was given back to me, I e-mailed

it over to Melissa Jones. I didn't think nothing of

the void that was on there. I just sent everything 3

4 back over to her.

5 So it wasn't re-signed by anyone. It was just a new date was added?

6

Α.

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Did the City ask you to explain that? Q.

9 No. What she said to me was -- she sent

me an e-mail and she was asking me if she could call 10

the hospital herself and then I knew from right then 11

that it was fixing to be a difficult situation. So 12

13 that's when I made contact with my attorney.

14 Q. So you did not give her permission to

15 inquire -- and her being Melissa Jones, right?

> Α. I did not.

17 Q. You are talking about Melissa Jones,

correct? 18

A. Yes.

20 O. Melissa Jones wanted to make sure this

21 excuse was valid and you wouldn't let her?

I didn't say I wouldn't let her. I just

knew they was trying to find things about me to try 23

24 to fire me.

25 Q. She wanted to be able to confirm it with

3

7

1 the Lexington Medical Center and you did not give her permission; is that right?

I just didn't respond back to her. That 3 Α. was it.

Ο. So back to City 82 of Exhibit 5, the third page from the end, again up near the top of the page, that first full paragraph, second sentence, "we asked you to provide some form of supporting documentation to clear up the apparent altered notes but none was forthcoming." That was true, right?

I never altered a note. Α.

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0. You admit there could be some question as 13 to whether it was altered or not, that they could have some question? Strike that.

You admit, right, that an employer looking at that note, comparing it to the prior note, seeing another date just added, might have some reasonable question as to whether that second note was valid or altered, correct?

MR. HERMAN: Objection, form.

Q. (By Ms. Paul) Would you agree with me?

Α. No. I mean, I never altered it. I did what she asked of me. She told me she needed another date. She didn't have the date for 12/31.

> So I went back to the hospital. I took **GILBERT & JONES**

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the doctor's note back to the hospital. I gave it to the representative.

From there, it went to the back and I didn't see the note. I didn't even think nothing of it because I know I was ready to go back to work.

So I e-mailed Melissa Jones back over the note. I didn't even think nothing of the void on the --

9 And you didn't ever tell Melissa Jones all 10 this you're telling me today about how --

> Α. I never spoke to her again, no, ma'am.

Would you agree it's true -- I'm reading again from City 82, near the top of the page. "We 13 asked you to provide some form of supporting documentation."

Did they ask you to provide some form of supporting documentation?

Α. True.

Q. And none was forthcoming, true?

Α. True. I made contact with my attorney.

Let me ask you about this Exhibit 29.

This first page, have you ever seen this before? .2

> Α. Yes.

24 Q. Is this a job description for police officer for the City of Walthourville?

GILBERT & JONES

Α. Yes.

O. Did this apply during your employment?

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62

Α.

4 I'm looking at the first paragraph under 0. job summary. Starting the third line down, midway 5 through it, under they performed, do you see that?

What now?

8 0. Third line from the top, midway through that line, they performed a wide range --9

10 Α. Yes.

Let me read that. "They performed a wide 11 Ο. range of law enforcement functions, including making 12 13 arrests, issuing traffic tickets, traffic control and 14 investigative work to promote public safety and 15 security, crime prevention, and general enforcement of the law." 16

17 Would you agree that all those were

18 duties?

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A. Yes.

20 Ο. Down under work functions and 21 responsibilities, Number 1, you would agree with me

22 that enforcing motor vehicle laws was part of the

23 work functions and responsibility of a police officer

24 for the City?

> Α. Yes.

GILBERT & JONES

Second, "identify, pursue, and arrest 1 2 suspects and perpetrators of criminal acts." You 3 agree that's a duty?

Α. Yes.

5 Ο. The next page, City 336, Number 11, 6 "monitor traffic to ensure motorists observe traffic 7 regulations and exhibit safe driving procedures." Is that a duty? 8

9 Α.

10 Q. Would that include speed laws?

> Α. Yes.

12 Number 13, "issue citations or warnings to 13 violators of motor vehicle ordinances." Do you see

that? 14

15 Α.

16 Ο. Was that a duty during your employment?

17 Α. Yes, ma'am.

18 It doesn't say just issue citations or 19 warnings to violators of certain motor vehicle ordinances, does it? 20

21

Α. No, ma'am.

Number 20, "enforces vehicle parking and

operating laws, uses RADAR and/or LIDAR unit to 23

24 enforce speed laws, concentrating efforts on high

accident locations." And it continues on. Did I 25

GILBERT & JONES

	Case 4:18-cv-00090-RSR-BKF Docum	ent	27-3 Filed 03/27/19 Page 18 of 87
	63		65
1	read that correctly?	1	Q. You couldn't arrest somebody for running a
2	A. Yes, malam, you did.	. 2	stop sign?
3	Q. You were not authorized to use RADAR or	3	A. No. I've never arrested anyone for
	LIDAR to enforce speed laws, correct?	4	running a stop sign.
ر ا	A. No, ma'am.	5	MR. HERMAN: Okay. That's all I have.
6	Q. What I said was right?	6	EXAMINATION
7	A. Yes, ma'am.	7	BY MS. PAUL:
8	MS. PAUL: I just want to make sure	8	Q. You were exercising general law
9	we're good.	9	enforcement duties to stop them, correct?
10	Let's take a break. I'm almost done.	10	A. Yes, ma'am.
11	(Recess from 3:22 p.m. to 3:27 p.m.)	11	Q. You put on the blue light and
12	MS. PAUL: That is all I have. We're	12	A. Yes, ma'am.
13	done.	13	Q and pull them over?
14	EXAMINATION	14	A. Yes, ma'am.
15	BY MR. HERMAN:	15	Q. You never told them you didn't have arrest
16	Q. I just have a couple questions. Earlier	16	authority or general law enforcement power, did you?
17	you testified about who you told about your 2016	17	A. I didn't know at that time. I didn't
18	suspension. Did you tell anyone else besides	18	know. Like I said, I was new.
19	Quarterman and Wright?	19	And working for the City of Walthourville,
20	A. Well, I told Sergeant Wright and	20	I was real dedicated. I would work for anybody that,
21	Quarterman, but at that time Ms. Moss, she was the HR	21	you know, if they had issues, family issues, or they
22	and so Quarterman had to send all my documentation	22	couldn't come in to work, I did that and I didn't
23	over to her and inform her about it as well, so	23	mind doing that.
24	O. So Ms. Moss knew also?	24	So it was I dedicated a lot of my time
25	A. Yes, Ms. Moss knew about all of that.	25	to that job. I dedicated so much time to my job. I
123	GILBERT & JONES	23	GILBERT & JONES
	64		66
1	64	1	66
1 2	Q. And she was the HR director?	1 -	66 lived here in Columbia, South Carolina. I would have
2	Q. And she was the HR director? A. And it was never an issue back in 2016.	2	66 lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my
2	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like	2	66 lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children.
2 3 4	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the	2 3 4	66 lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two
2 3 4 5	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets.	2 3 4 5	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in
2 3 4 5 6	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I	2 3 4 5 6	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could
2 3 4 5 6 7	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I	2 3 4 5 6 7	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We
2 3 4 5 6 7 8	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day.	2 3 4 5 6 7 8	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed.
2 3 4 5 6 7 8 9	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST	2 3 4 5 6 7	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work
2 3 4 5 6 7 8 9	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST and they notified Chief Quarterman. And Chief	2 3 4 5 6 7 8 9	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work on weekends, so, okay, we've still got to run this
2 3 4 5 6 7 8 9 10 11	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST and they notified Chief Quarterman. And Chief Quarterman, he automatically had to send all of my	2 3 4 5 6 7 8 9 10	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work
2 3 4 5 6 7 8 9 10 11 12	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST and they notified Chief Quarterman. And Chief Quarterman, he automatically had to send all of my paperwork over to Ms. Moss. So I don't	2 3 4 5 6 7 8 9 10 11 12	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work on weekends, so, okay, we've still got to run this city, we've got to make sure everything is fine. I just couldn't understand why me, you
2 3 4 5 6 7 8 9 10 11 12 13	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST and they notified Chief Quarterman. And Chief Quarterman, he automatically had to send all of my paperwork over to Ms. Moss. So I don't Q. Earlier we were looking at tickets that	2 3 4 5 6 7 8 9 10 11 12 13	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work on weekends, so, okay, we've still got to run this city, we've got to make sure everything is fine. I just couldn't understand why me, you know, just missing a couple of training hours when
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. And she was the HR director? A. And it was never an issue back in 2016. It was like once I found out about it, because, like I said, I was a new officer and I was freshly on the streets. Once I found out about it, I went and I did my POST training and I paid my waiver fee and I got everything up and running the next day. And everything was scanned in through POST and they notified Chief Quarterman. And Chief Quarterman, he automatically had to send all of my paperwork over to Ms. Moss. So I don't Q. Earlier we were looking at tickets that you wrote and noticed that they were failing to stop at a stop sign?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	lived here in Columbia, South Carolina. I would have to be at work. I left my family. I left my children. I have five children and I had two grandbabies with me. I would literally stay in Georgia. I would sleep in my patrol car so I could make it to work because we were short staffed. We were really short staffed. And like Burgess, he didn't want to work on weekends, so, okay, we've still got to run this city, we've got to make sure everything is fine. I just couldn't understand why me, you know, just missing a couple of training hours when back in 2016 y'all worked together to help me get this back together so I could hit the streets and
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City Council

Charlty Anderson, Sc. Larry 11. Baker Paretela A. Green Laviena L. Lovette Vincena K. Prny City of Walthourville

Mayor Dalsy S. Pray

Pón Office Role K Waldheufvälle, Georgia 31333 Telephanet, 412-168-7501 Fax: 912-368-2803 Chy Administration

Mellaru & Jones, Chy Clerk

Jerald Burgess, Interto Police Chief Anthony Burns, Interior Pire Chief

February 7, 2018

LATARSHIA M. LEE

Policy Violations (the documents are attached):

Ms. Lee violated several policies outlined in the City of Walthourville personnel manual. The policies are listed below:

Pg. 21 of personnel manual C. Performance (1.) Inefficiency, incompetence, or negligence in the performance of duties, including failure to perform assigned tasks or training, or failure to discharge duties in a prompt and competent matter.

Pg. 25 Loss of job requirements: An employee who is unable to do his job adequately because of loss of a necessary license or other requirement may be separated by a layoff until such license or requirement is required.

Incidents:

Ms. Lee was suspended by the Georgia Peace Officer Standards and Training Council in 2016 due to the fact that she did not complete her state mandated training. The suspension was effective from January 1, 2016 to February 12, 2016, during which time she was paid for working 294 hours. Ms. Lee never reported her suspended status to the City of Walthourville. The suspension status by the State of Georgia revoked Ms. Lee's arrest powers, making her unable to perform her duties as a police/peace officer. Ms. Lee continued to work, never reporting her suspended status, which exposed the City of Walthourville potentially exposing the City to liability for any potentially illegal arrests or stops. The Human Resources Administrator found out about the 2016 suspension on December 26, 2017.

On January 10, 2018, the Georgia Peace Officer Standards and Training Council informed the Human Resources Administrator that Ms. Lee again had no arrest authority as a police officer within the State of Georgia due to training deficiency. Ms. Lee did not inform the City of Walthourville that she was unable to perform the job that she was hired to do.

On January 22, 2018, Ms. Lee emailed the Human Resources Director a letter stating that she was in fact short the hours mandated by Georgia Peace Officer Standards and Training Council, causing the suspension. This was the first time Ms. Lee acknowledged the suspension, this was also the date that she was terminated.

Latershia M. Lee was terminated by Mayor Daisy S. Pray on January 22, 2018. The termination letter is attached.

Melissa A. Jones

Muciosotolores



enforcement officers, judges, prosecutors, police officers, judges, and prosecutors or identification of their immediate family members;

C

- (3) Engaging in criminal, dishonest, immoral or disgraceful conduct or conviction of a crime which conduct or conviction of a crime which is in opposition to the best interests of the City;
- (4) Willful or negligent violation of rules, regulations, policies, or related directives;
- (5) Failure to carry out a direct order from a superior, except when the employee's safety may be unreasonably jeopardized by the order or when such order constitutes a violation of law or policy;
- (6) Engaging in a conflict of interest activity as defined in the Code of Ethics adopted by the City Council or elected or appointed official;
- (7) Falsification, removal, or destruction of information related to employment, payroll, or work-related records or reports including, but not limited to, application for examination or employment or any action or lack of action that materially effects the employment of an individual employee or class of employees;
- (8) Soliciting outside work for personal gain during business hours;
- (9) Discourtsous treatment of the public or other employees, including use of profane or vulgar language, harassing, coercing, threatening, or intimidating others;
- (10) Conduct designed to materially interfere with the management of the City's operations or reflecting discredit on the City or elected or appointed official, or which poses an unreasonable risk to the health and safety of the employees, the public, or the City or its finances;
- (11) Lying to, stealing from, or cheating co-workers, supervisors, elected or appointed officials or the public, or when an employee has knowledge of same or fails to disclose same to his/her immediate supervisor, and which is in opposition to the best interests of the City.
- (12) Violation or neglect of safety rules, or contributing to hazardous conditions;
- (13) Fighting or physical horseplay which poses a danger to self or others in the workplace;
- (14) Violation of written department operational rules formulated by the department director or the elected or appointed official which the employees have previously been made awars of and have acknowledged this awareness in writing; or
- (15) Any act or conduct that is intended to be discriminatory in nature and directed toward another person's race, religion or religious beliefs, color, national origin, sex (including sexual harassment), disability or physical condition, age, or political affiliation.

(C) Performance:

- (1) Inefficiency, incompetence, or negligence in the performance of duties, including failure to perform assigned tasks or training, or failure to discharge duties in a prompt and competent manner;
- (2) Refusal or inability to improve job performance in accordance with written or verbal direction after a reasonable trial period;
- (3) Insubordination, refusal to accept reasonable and proper assignments from an authorized supervisor;
- (4) The use of alcohol or illegal drugs on duty or off duty when such use interferes with the employee's

remaining criteria are not considered.

Pirst oritoria: Availability of a funding source.

ť

Second criteria: Availability of a funding with the department.

Third criteria: Availability of funding for a particular program.

Fourth criteria: Deletion of job classification or position within the program.

Fifth criteria; Job performance as shown on the last two performance evaluations or any such evaluation within a two-year period. When an employee possesses a critical skill essential to the efficient operation of the department, he/she may be retained in preference to a person with a higher rating. Documentation and request for such action must be presented to the Human Resources Administrator for presentation to the Mayor who will make the final decision. The request shall set forth in detail the specific skills and abilities possessed by the individual and the reasons why such individual is essential to the effective operation of the department.

Sixth criteria: Length of service with the City.

<u>Disability:</u> A department head may request, with the concurrence of the Human Resources Administrator, any employee under his jurisdiction to be examined by a physician designated by the City to determine whether the employee is an individual with a disability and the nature and severity of the disability, but only when the inquiry is job related and consistent with business necessity.

Loss of Job Requirements: An employee who is unable to do his job adequately because of loss of a necessary license or other requirement may be separated by a layoff until such license or requirement is acquired.

<u>Dismissals</u>; Regular employees shall be discharged only after having been presented the reasons for the discharge, unlike the discharge of a probationary employee serving an initial probationary period (as may be extended) who may be dismissed without cause. An original report stating the reasons for the discharge shall be forwarded in a timely manner, after the effective date of the action, to the Human Resources Administrator for inclusion in the employee's file.

<u>Death:</u> When a regular employee dies while employed with the City, his estate shall be eligible to receive payment for his accumulated annual leave.

ETHICS AND CONDUCT

Outside Employment: Employees are discouraged but not restricted from engaging in other employment during their off-duty hours. However, City employment shall be considered the primary employment and no employee may engage in outside employment which would interfere with the interests of the City.

Gifts and Gratuities: An employee shall not solicit or accept a gift under circumstances in which it reasonably could be inferred that the gift was intended to influence him/her in the performance of his/her duties or was intended as a reward for an official act on his/her part. A gift is defined as any benefit, favor, service, privilege or thing of value which could be interpreted as influencing an employee's impartiality and includes, but is not limited to meals; trips; money; loans; rewards; merchandise; tickets to sports, civic or cultural events; entertainment; hospitality and personal services or work provided by City suppliers or contractors. These limitations do not apply to the occasional acceptance of items of negligible value, \$20 or less.

Under no circumstances shall employees accept alcoholic beverages, each or its equivalent in any form. With the

GL. JIA PEACE OFFICER STANDARDS AN. P.O. Box 349 Clarkdale, Georgia 30111

Ken Vance Executive Director



Telephone: (770)-732-5974 Fax: (770)-732-5962

IAINING COUNCIL

LATARCHIA MARSHA\' LEE WALTHOURVILLE POLICE DEPARTMENT

SUSPENSION ORDER

In the matter of: LEE, LATARCHIA MARSHA\'
Under the authority of O.C.G.A. 35-8-7.1, as amended, the following certification issued by the Georgia Peace Officer Standards and Training Council is hereby <u>SUSPENDED</u>, effective immediately.

a. PBLE2014O

Suspension is hereby ordered for the following reason(s): POST Rule 464-5-.20 Emergency Suspension for Failure to Maintain Training for the year 2015.

Suspension shall continue in effect until Issuance of a final decision of the Council or such order is withdrawn by the Executive Director. During the period of suspension, you are prohibited from performing any duties requiring certification including, but not limited to, the powers of arrest. Instructions for requesting a training waiver can be found at web link https://www.gapost.org/pdf_file/trngwaiver.pdf. For questions, you can e-mail the POST Help Desk at helpdesk@gapost.org or call (770)-732-5604.

By Order of:

Ken Vance, Executive Director

This 3rd day of February, 2016

www.gapost.org

According to current POST training records for 2015, you are not showing completion of the required training for 2015. Instructors had until January 31, 2016 to get training for 2015 posted. Any training posted after this date is not considered for this suspension. If you have proof that you completed the required training, you will need to e-mail a copy of your proof to helpdesk@gapost.org or fax a copy to GA POST Council at 770-732-5952.

If you did not get the required training in 2015, you will be required to apply for a waiver. Waiver instructions can be found at web link http://www.gapost.org/pdf file/trngwaiver.pdf. Walver processing fees can be paid online at web link https://www.gpostc.org/rtt/order.php.

You can check your POST Training Record by logging into the POST Data Gateway at www.gapost.org. If you have never logged in to the POST Data Gateway, please see instructions for logging in at web link http://www.gapost.org/records.html.

GA POST Council will notify you when your suspension is lifted if you provide proof of the required training or complete a training waiver.

GE BIA PEACE OFFICER STANDARDS AN RAINING COUNCIL P.O. Box 349 Clarkdale, Georgia 30111

Ken Vance Executive Director



Telephone: (770)-732-6974 Fax: (770)-732-5952

January 10, 2018

Molissa Jones Human Resources City of Walthourville

Madam:

Per our recent phone conversation, please accept the following as documentation for the status of Laterchia Lee's peace officer certification.

Due to a training deficiency in 2015, Ms. Lee had no arrest authority as a peace officer from January 1, 2016 to February 12, 2016. That matter was cleared up with a training waiver on February 12, 2016, per POST records, and her authority was restored. Now, due to a training deficiency in 2017, Ms. Lee has no arrest authority as of January 1, 2017. This will remain the case until she, again, clears the issue with a training waiver.

Sincerely,

Jeff Miller Director

Certification & Training Standards

770-732-5788

jmiller@gapost.org

Mrs. Jones

I have been under medical since December 26th 2017. I have not conducted any law enforcement duties since this date. During this time I was short (2) hours my annual training and did not complete It by 31th December 2017 which placed me in a suspended status until the (2) hours are completed and the wavier fee is paid. This is a normal procedure that POST has put in place for officers who do not meet their training due to different circumstances.

I have now completed the (2) training and in the process of paying the wavier fee. Maam I am still under medical. I will pay the wavier and inform you before my return to work. I asked about my pay earlier but did not get a response. Can you inform me if I will be paid or not. The last few month has been really work related stress with the issue you seem to involve me in particularly. I don't feel that the threat to my employment is necessary for something that is being corrected by me. I ask for this pressure to stop.

Thank You

Officer L. Lee

P.O.S.T. Staff Reports | .gency G2084

Training Deficiency Report

Created: 01-10-2018 02:36
Requested by: DAISY PRAY

Agency Profile

Agency .

G2084 WALTHOURYILLE POLICE DEPARTMENT

Address

P.O. BOX K / 192-B Talmadge Road WALTHOURYILLE, GA 31333

CEO

CETEF Bernie I Quarterman

Phone

(912) 368-6530

Fax

(912) 368-6511

County

Liberty

Region Status

District #3
Active

Турв

Cliy Police Dept.

Level

L

Contact

CHIEF Bernie L Quarterman

Total Actively Employed Officers in 2017 8

s report is a tool for agencies to identify potential training deficiencies. Per POST Rules, ONLY peace officers have an anoual POST training requirement. Other persons with POST certifications such as jailers and communications officers do not have an annual training requirement, but are listed in the report. For example, a jailer working at an agency oven though that certification does not have an annual training requirement will be listed. The reason for listing individuals that may only be working as a jailer at an agency is that some officers work under multiple certifications for multiple agencies.

•	·		Deadly	Go	mmunity	, Total
	Staff Members	Firearms	Force	De-escalation	Pallaling	Training Hours
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2	O211974 LEE, LATARCHIA MARSHA'	1	0	0	4	24
	28 Total Hours for 2 Officers w	vith Deficier	it Trainli	ng		

City Council

Charlie Anderson, Sn Lasty D. Bakor Patricla d. Green Luctrio L. Lavetta Vincent K. Pray

City of Walthourville

Mayor Baisy S. Pray

Post Office Box-K Walthourville, Georgia 11333 Telephone: 912-368-7501 Fax: 912-368-2803

January 12, 2018

City Administration

Melissa A. Jones City Clerk

Bernie Quarterman, Sr. Polica Chief

> Tarry L. Sotterfield Fire Chief

Latarshia Lee 10 Melrose Court Columbia, SC 29229

Via First Class Mail AND Certified Mail, Return Receipt Requested

RE: Proposed Adverse Action

Dear Ms. Lee:

This is a notice of proposed adverse action issued in order to give you the opportunity to review the charges against you and submit a response if you desire. In order to promote the efficiency of the City of Walthourville Police Department and maintain discipline, it has been proposed to remove you from your position with the City of Walthourville Department on January 19, 2018.

This proposed adverse action is based on the following allegations:

On January 10, 2018, the Georgia Peace Officer Standards and Training Council informed the City that you currently have no arrest authority as a police officer within the State of Georgia as of January 1, 2018. The City has no documentation where you yourself let us know of your inability to work the job for which you were hired.

You have a history of being deficient in your training. Allegedly, you were without law enforcement powers from January 1, 2016 to February 12, 2016 due to a training deficiency. Despite having no law enforcement powers during this period, you continued to work, make arrests, and receive pay from the City of Walthouville.

Further, our records indicate that were provided written notice of an emergency suspension from POST on or about February 3, 2016. Notwithstanding receiving actual notice of the suspension of your law enforcement powers, you logged 96 hours for the pay period between 2/3/16 and 2/16/16. Pursuant to OCGA 35-8-21(d) and (g), you would have been without powers of arrest and have been unable to perform your duties as on officer of the City of Walthourville. Working during this period potentially exposed the City to liability for any potentially illegal arrests or stops you may have made during this period.

You allegedly did not inform anyone within the City of your suspension in 2016, and did not do so with the most recent suspension. We are a small city; the absence of one officer seriously hampers our ability to protect the citizens and property. We are also unable to plan and schedule officers to cover shifts without accurate, correct, and truthful knowledge of an officer's ability to perform their duties.

You have a right to review the material relied on to support the reasons in this notice and/or receive a copy of the evidence file upon written request submitted to Melissa A. Jones, City Clerk.

You have the right to answer both personally and in writing and to furnish affidavits and evidence in support of your answer. Concerning your written and/or oral replies, you will not be restricted to matters relating solely to the reasons for proposing this action, but you may plead extenuating circumstances or make any other representations which you consider appropriate. You may also submit such affidavits or other evidence that you wish to have considered in support of your reply. You also have the right to be represented by an attorney or other representative at your expense. A representative may be disallowed if the individual's activities as a representative could cause a conflict of interest or position, would give rise to unreasonable costs to the City, or would conflict with priority work assignments.

Any oral conference that you request, in writing, will be conducted by the Mayor at her discretion within the next 10 days. Your written and/or oral reply must be received by 3:00 PM January 19, 2018. Consideration will be given to extending this time period if you submit a written request to Ms. Mellssa A. Jones stating your reasons for desiring more time within the time frame specified above.

If you believe that personal, medical, or other problems are reasons for your actions, you may provide documentation of a medical condition or raise these problems in your written and/or oral reply.

A final decision will not be made in this matter until your reply or replies have been received and considered, or, if no reply is received, until after the time specified for the replies has passed. Any replies, affidavits or other evidence submitted by you will be given full consideration. You will be notified in writing of the final decision. Until a final decision is made, we ask that you take care of and secure any City of Walthourville equipment and personal property currently in your possession.

You will be retained in a work status (suspended, unpaid) until January 19, 2018 in your current capacity. If you should have questions regarding your rights or other procedures contained in this notice, please contact the undersigned at City Hall.

Respectfully,

Muliocato Janeo Melissa A. Jones, City Clerk City Council

Charile Anderson, Sr. Larry D. Baker Putricia A. Green Luciria L. Lovette Vincent K. Pray City of Hillpurville Anyof Maily Midray

> Telephon 312-368-7501 Fax: 912-368-2803

City Administration

Melisso A. Jones, City Clerk

Jerald Burgess, Interim Police Chief

Anthony Burns, Interior Fire Chief

January 22, 2018



Via First Class Mail/Certified Return Receipt

RE: Termination of Employment, City of Walthourville

Effective 11:59 PM, January 22, 2018

Dear Officer Lee:

After considering all the evidence and your written response of January 22, and no hearing being requested, I have decided to follow through with my earlier proposal to remove you from your position effective 11:59 PM, January 22, 2018. If you have not already done so, I expect you to turn in all equipment belong to the City of Walthourville by noon, January 23, 2018. You are also asked to turn in all passwords (e-mail or otherwise), computer logins, and other intangible items which you may have.

My decision is based on the following:

On January 10, 2018, the Georgia Peace Officer Standards and Training Council informed the City that you currently have no arrest authority as a police officer within the State of Georgia as of January 1, 2018. The City has no documentation where you yourself let us know of your inability to work the job for which you were hired.

You have a history of being deficient in your training. You were without law enforcement powers from January 1, 2016 to February 12, 2016 due to a training deficiency. Despite having no law enforcement powers during this period, you continued to work, make arrests, and receive pay from the City of Walthourville.

Further, our records indicate that were provided written notice of an emergency suspension from POST on or about February 3, 2016. Notwithstanding receiving actual notice of the suspension of your law enforcement powers, you logged 96 hours for the pay period between 2/3/16 and 2/16/16. Pursuant to OCGA 35-8-21(d) and (g), you would have been without powers of arrest and have been unable to perform your duties as on officer of the

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City of Walthourville. Working during this period potentially exposed the City to liability for any potentially illegal arrests or stops you may have made during this period.

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Finally, in an effort to explain away your deficiency, you apparently altered a doctor's note from the Lexington Medical Center. We asked you to provide some form of supporting documentation to clear up the apparent altered notes, but none was forthcoming. Please note, that we did not inquire as to the nature of your condition, just the written excuse for the absence(s).

You allegedly did not inform anyone within the City of your suspension in 2016, and did not do so with the most recent suspension. We are a small city; the absence of one officer seriously hampers our ability to protect the citizens and property. We are also unable to plan and schedule officers to cover shifts without accurate, correct, and truthful knowledge of an officer's ability to perform their duties.

As a terminating employee, there are a number of issues you will need to be aware of. You will receive information in the mail in the next few weeks on continuation under COBRA of any health care benefits in which you are enrolled. Your health benefits will end effective January 31, 2018. Any questions regarding your health benefits and transition to COBRA can be addressed to Melissa A. Jones, City Clerk.

Your final paycheck will be available <u>February 1. 2018</u>. In accordance with City policy and relevant state laws, you will receive pay for any accrued but unused vacation leave. You may pick up your final paycheck at City Hall. If you would like your final paycheck to be mailed, please contact <u>Margaret Bess</u> at <u>912-368-7501</u>.

To ensure you receive documents and notices from the City, please contact us if your address changes. If you have any questions, please call Melissa A. Jones at City Hall.

Respectfully,

Mayor, City of Walthourville

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GMail	Mellasa A. Jones <mjonas@cityofwalthouryille.com></mjonas@cityofwalthouryille.com>
(no subject)	
Latarchia Lee < liee@cityofwalthourville.com> To: "Melissa A. Jones" < mjones@cityofwalthourville.com>, Patricia Green <	Mon, Jan 22, 2018 at 12:21 PM a.com>, Lucida Lovette <liovette@cityofwalthourville.com>, Larry Baker apgreen@cityofwalthourvilla.com></liovette@cityofwalthourville.com>
A Lee Response 1.22.2017 (1) doey	

GEO('A PEACE OFFICER STANDARDS AND('AINING COUNCIL P.O. Box 349 Clarkdale, Georgia 30111

Ken Vance Executive Director



Telephone: (770)-732-5974 Fax: (770)-732-5952

January 10, 2018

Melissa Jones Human Resources City of Walthourville

Madam:

Per our recent phone conversation, please accept the following as documentation for the status of Latarchia Lee's peace officer certification.

Due to a training deficiency in 2015, Ms. Lee had no arrest authority as a peace officer from January 1, 2016 to February 12, 2016. That matter was cleared up with a training waiver on February 12, 2016, per POST records, and her authority was restored. Now, due to a training deficiency in 2017, Ms. Lee has no arrest authority as of January 1, 2017. This will remain the case until she, again, clears the issue with a training waiver.

Sincerely,

Jeff Miller Director

Certification & Training Standards

770-732-5788

jmiller@gapost.org

464-5-,20 Emergency Suspension for Failure to Maintain Training.

- (1) Beginning January 1, 2013, POST shall review the status of each officer=s training record in accordance with O.C.G.A. 35-8-21. A review will be made of the officer=s previous calendar year training. Any peace officer who does not fulfill the training requirements of this Code section shall lose his power of arrest and POST shall issue a suspension of their certification as provided in O.C.G.A. 35-8-7.1(b)(1).
- (2) Upon review of the record and a determination that the officer is out of compliance with O.C.G.A. 35-8-21, the executive director of the council shall order the emergency suspension of such officer's certification. The order of emergency suspension shall be made in writing and shall specify the basis for the executive director's determination. The emergency suspension order of the executive director shall continue in effect until such time as proof of compliance with O.C.G.A. 35-8-21. At that time, the order is withdrawn by the executive director.
- (3) The affected officer shall be notified via certified mail of the Council's action and of the affected party's right to request a hearing as provided in Section 464-8 as amended of P.O.S.T. Council Rules.
- (4) The employing agency of the affected officer shall also be notified of Council's action by forwarding a copy of the notice to the employing agency via U.S. Mail.

History: Original Rule entitled "Emergency Suspension for Failure to Maintain Training" adopted. F. Jun. 19, 2012; eff. Jul. 9, 2012.





Full-Time Police Officer

The City of Walthourville is currently accepting applications for the position of Full-Time Police Officer. This position reports to the Chief of Police. Essential Functions * Patrols to detect and deter criminal activity and traffic violations. * Responds to all calls relayed by communication officers, including domestic disputes, assaults, burglaries, traffic accidents, lost or missing person's searches, public service duties, and others. * Conducts preliminary investigations into traffic accidents and other incidents, including interviewing victims/suspects/complainants, complainants and witnesses, gathering information, and evidence, and securing crime scenes. * Apprehends, arrest, and processes offenders, including fugitives; summons witnesses. * Provide assistance and backup support to other officers and departments as necessary. * Provides first aid and CPR to victims as necessary and assists motorists. * Provides traffic detail as needed for events. * Testifying in courts. * Transports inmates. * Report writing, completing and filing forms. * Inspects and maintains an assigned patrol vehicle and uniform. * Prepares and serves criminal warrants.

Education: Associates or bachelor's degree from an accredited college or university in Criminal Justice or related field. Must be a graduate of Law Enforcement Academy and be State of Georgia Post Certified.

Knowledge, Skills & Abilities: Must have the ability to read and comprehend operating and technical manuals. Must have the ability to successfully complete the Department's Field Training Officer (FTO) program. Must be knowledgeable of federal, state, municipal and criminal justice system laws. Must be able to meet physical requirements of police work and obtain a qualifying score at the pistol and shotgun range.

Starting salary is \$15.50 per hour.

Please send completed City of Walthourville application, cover letter, and resume to: City of Walthourville, ATTN: Human Resources Department, Post Office Box K, Walthourville, GA 31333 or via email at HR@cityofwalthourville.com. Deadline for submission is 5:00 PM on Monday, July 10, 2017. Selected applicants will be notified.

The City of Walthourville is an equal opportunity employer. The City of Walthourville is giving notice by this advertisement that their services are available without regard to race, color, national origin, sex, religion, age, disability political beliefs sexual orientation and marital or family status. The City of Walthourville is an equal opportunity provider and employer.

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THE CITY OF WALTHOURVILLE POLICE DEPARTMENT
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POLICE DEPARTMENT	THE CITY OF WALTHOURVILLE

OFFICER TIME SHEET

NAME CATORCUCE PAY PERIOD F	
DATE 23 DAY-WE DEGAN SHIFT AT	Mended shift at 100 total Hrs/2
DATE 12:24 DAY WE BEGAN SHIFT AT [DOENDED SHIFT AT 100 TAL HRS 12
DATE/2:25 DAY-1/1- BEGAN SHIFT AT 2	FENDED SHIFT AT OFF TOTAL HRSD FFE (Ledictly)
DATE 1224 DAY-11. BEGAN SHIFT AT	HENDED SHIFT AT OF TOTAL HRS OF A (GOLOGY)
DATE LEDDAY- MEGAN SHIFT AT	OONDHO SHIFT AT: 170 TOTAL HRS-Q 2003
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THE CITY OF WALTHOURVILLE POLICE DEPARTMENT	
OFFICER TIME SHEET	
NAME ALL PAY PERIOD-FROM 1-6-2016 1-14. 2016	
DATE-1-10 DAY-WEBBEGAN SHIFT AT DOWNDED SHIFT AT: NO POTAL HRS 12	
DATE 1.7 DAY-INUL BEGAN SHIFT AT 500 ENDED SHIFT AT 1700 TAL HRS 2'	
DATE 1.8 DAY ON BEGAN SHIFT AT OF FENDED SHIFT AT OFF TOTAL HRS OFF	
DATE 19 DAY SUL BEGAN SHIFT AT HE ENDED SHIFT AD FO TOTAL HRS FOR	
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DATE // DAY-VI BEGAN SHIFT AT TOTAL HRS, D	
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OFFICER'S SIGNATURE CHIEF'S SIGNATURE	

OFFICER:	TIME	SHEET
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Officer I Mid Speci
NAME . FE PAY PERIOD-FROM 1-20 TO 2-2
DATE-1-20AY-WODBEGAN SHIFT AT GOODEN SHIFT AT: 10CTOTAL HRS-12
DATE-1-2/DAY-1/100 BEGAN SHIFT AT 500 ENDED SHIFT AT 700 TOTAL HRS-12
DATE-1-22DAY-FY BEGAN SHIFT AT: Of FENDED SHIFT AT: Of FTOTAL HRS/OFF
DATE-1-23DAY-SOLL BEGAN SHIFT ATOFF ENDED SHIFT ATOFF TOTAL HRSOLF
DATE 1-24DAY SUN BEGAN SHIFT AT SFF BNDED SHIFT AT SFF TOTAL HRSOFF
DATE_1-25DAY-MUV BEGAN SHIFT AT 500 ENDED SHIFT AT: 1900 OTAL HRS. 4
DATE-1-24DAY-1401 BEGAN SHIFT AT 2500 ENDED SHIFT AT: 100 TOTAL HRS-12
DATE 1-27 DAY-Wedbegan SHIFT AT OFF ENDED SHIFT AT: OFF TOTAL HRSOFF
DATE 1-28 DAY- THURSDEGAN SHIFT ATOFF ENDED SHIFT AT: 8 FF TOTAL HRSOFF
DATE-1: 29DAY-1/1. BEGAN SHIFT AT 0500 ENDED SHIFT AT 0000 TOTAL HRS. 15
DATE-1:30 DAY SQL. BEGAN SHIFT AT SOODENDED SHIFT AT 1900 TOTAL HRS 4 10 10 10 10 10 10 10 10 10 10 10 10 10
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THE CITY OF WALTHOURVILLE P	OLICE DEPARTMENT
OFFICER TIME SI	HEET Ú
NAME J. JUL PAY PERIOD-FROM	8-3 ro 2-16
DATE 2.3 DAY-WED BEGAN SHIFT AT DENDI	ed shift at <u>200</u> 00tal hrs-15
DATE 2. 4DAY-THUYBEGAN SHIFT AT: 250 PADI	ED SHIFT AT OPOTOTAL HRS-4
DATE 2.5 DAY-FR. BEGAN SHIFT AT: OF PENDI	ED SHIFT AT OF TOTAL HRSD F
DATE OF DAY SOL. BEGAN SHIFT AT CONTROL	ED SHIFT AT LOCATOTAL HRS-7
DATE 2.7 DAY SUN. BEGAN SHIFT AT OGER	ED SHIFT AT COOPTAL HRS
DATE 2.8 DAY MM BEGAN SHIFT AT DIND!	ED SHIFT AT: 10 TOTAL HRS 2
DATE 3'9 DAY- ILL BEGAN SHIFT AT DENDE	ED SHIFT AT TOTAL HRS
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DATE JULY DAY WILLEGAN SHIFT AT A TENDI	ED SHIPT AT X-TOTAL HRS-X-
A A STA	ED SHIFT AT: UTOTAL HRS-10
DATE DAY DEGAN SHIFT AT DEGAN	' 4 4 1 1/1
DATE 14 DAY- 11 BEGAN SHIFT AT CANDI	
DATE 2/5 DAY MIN BEGAN SHIFT AT FINDS	
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	WPD16020027		WALTHOURYII	LE MUNICIP	AL COURT	[T00021	529
	Court Date 04/19/2016		Ce	ourt Time 1:	00 P.M.			
	Defendant BALASY, JILL	UHLMANN			DOB TOTAL	SEX F	RACE	<u>w</u>
	· Case-No.	Cicket-No.	Violation		DL# ·	GA-05305702	6	
	WPD16020027	T00021529		DIVING LINGAEE	/IMPROPERLY EQUI	DED VEH		
1	111 0 10020021	100021025	<u> 40-0-1 </u>	KIVING UNSAFE	Standard Fine: 125.			
١	Disposition			Fine	Date Paid		eceipt	
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	d) _k		· -				===	
(outo) areason	WIFORM TRAFFIC CITATION, SUMMONS AND		PAY ONLINE AT WWW.CITYOFWALTHOURVILLE,COM OR CALL 8 WEATHER (A) ROAD (B) TRAFFIC USTRING CONMERCIAL VIOLATE Grant (B) Company (B) Compan	S of the formal of the factor	NOTICE: This citation shall constitute orticals notice that and time stated on this charton to dispose of the designated court to seward your driver's Bosness and the vour driver's liceties shall be austramised. (Good shall nometh to either with such time as there is a sail notifies the Despription, of Driver Savitses. Liceting to the Despription, of Driver Savitses. Liceting to the Despription of Driver Savitses. Liceting the Despription of Driver Savitses. Liceting the Despription of Driver Savitses. Liceting the Despription of Driver Savitses.	of the personal Parties of The Co	Section Services (775) Services (775	

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OFFICER CENTRICATION

	WPD1601033	35	WALTHOUR	VILLE MUNICIPA	AL COURT	[T00022924
•	Court Date 02/16/201 Defendant COX, TE				00 P.M. DOB	SEX M GA-05991704	
-	Case-No.		Violation			IDDED VEV	
1	WPD16010335	T00022924	40-8-7	DRIVING UNSAFE	IMPROPERLY EQU Standard Fine: 125		
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Couri Case Ifoon ANTU Morning Class or Ty Name ANTO	RM TRAFFIC CITATION, SUMMONS AND AGE OF COLOR STATE OF WALTHOURVILLE POLICE DEPART OF WALTHOURVILLE POLICE DEPART OF COLOR STATE OF COLOR STA	Citation Number [MENT 0807 SAM. 6xptrac(0:03:20:8)	WPD16010002	1 1	Court Date 02/16/2016 Defendant DAWSON	WPD16010002
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PAY ONLI WEATHER I Claudy I Chart OFFICE You are hardry of the company of th	Private Conserver Harding Despitation Committee Committe	sangere could violation pure Material Violation was Material Violation wat THOURVILLE BE WALTHOURVILLE BE WANTHOURVILLE BE WANTHOURVILLE BE WANTHOURVILLE BE WANTHOURVILLE BE WANTHOURVILLE BE WA	40-6-72 FAILLIRE TO OBEY	Violation	Court Time	WALTHOURVILLE MUNICIPAL CO
CHANGE CH	a cliation shall constitute official notice to you that failure to sted on this cliation to dispose of the clied charges agreed on this cliation to dispose of the clied charges agreed to terward your driver's license number to the Dept wor's license shall be suspended. (Georgia Code 17-8-11 arm in effect until such lime as there is a satisfactory disposition to Driver Borvices. Layfo is the open of Driver Borvices. Layfo is the open of Driver Borvices. ARRESTING OFFICEN'S CENTIFICATION ARRESTING OFFICEN'S CENTIFICATION ARRESTING OFFICEN'S CENTIFICATION ARRESTING OFFICEN'S CENTIFICATION To the open of the control of the co	of Bame of	Standard Fine: 150.00	DL# GA-052108479	3:00 P.M. SEX F	PAL COURT
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,	CITY OF WALTHOURVILLE POLICE DEPARTMENT	Dis	WPD16030100	က္ဆ	Defendant	Court Date	} }	
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	Residue Wall Blacker House Commercial Vehicle					ပ္ပ	(V)D	
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	You are barely enjoyed to expose in Court to answer this charge on the 20 O at BO AMEN PM in the MUNICIPAL day of Court At 1928 TALMADGE ROAD	Tine	DRIVING UNSAFE/IMPROPER			Court Time	WALTHOURVILLE MUNICIPAL COUR	
	CITY WALTHOURVILLE Georgia 21029		SAF			•		
	En NOTICE. This citation shall constitute official notice to you that failure to appear in Court at the date. So and time stated on this citation to dispose of the cited charges against you shall cause the day of the cited charges against you shall cause the designated court to forward your driver's license number to the Department of Driver Services, and your driver's license shall be avaganted. (Georgia Code 178-11 and 408-56) The suspension of we shall remain in effect until such time as there is a satisfactory disposition to this matter or the Court	St	EJMI	#Id	вод	8	ĀL	
	and your driver's license shall be avaganted. (Georgia Code 17-8-11 and 40-8-56) The suspension of the country of the country disposition to this matter or the Country.	Standard Da	Ž	1 ·		3:00 P.M.	8	
	chall remain in edjeyt until such time as there is a satisfactory disposition in this matter or the Court prolifes the Copyright of Driver Services. UCENER DISPLAYED IN LIEU OF BAR. DIVES DINO RELEASED TO SIQUETURE ACCOUNTING SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME						JRT	
	SIGNATURAL DESCRIPTION FROM	ard Fine: 1: Date Paid	NEC Y					
	ARRESTING OFFICER'S CENTRICATION The understands has bey and reachinable grounds to believe, and does believe, that the person named bergin has committed to expense set in the person named bergin has been	E Paid	LY EQUIPPED					
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	WPD160200	22	WALTEOU	RVILLE MUNIC	CIPAL COURT	•	T00021526
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	Defendant FREEM	an, winston elro	OY		DOB _		X M RACE B
,	Case-No.	Ticket-No.	Violation •		DL#	GA-059	8975184
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	urt Date 02/16/2016 GROOVER Case-No.	, TINA MARIA		Court Time	3:00 P.M.		
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	DDS-32 (MIN) (IEORGIA	1	i ·		· ·		-
	UNIFORM TRAFFIC CITATION, SUMMONS AND ACCUSATION WIPDIDD SS NR-GA0890500 ROLL Classics Number Citation Number			<u>.</u>	De	Cox	
	CITY OF WALTHOURVILLE POLICE DEPARTMENT (con Month (year) 20/Le et 08/9 (year) 20/Le et 08/9 (year) 20/Le et 08/9 Embres (128) 4	7.2020 7.2020	Disposition	Case-No. WPD1601	Defendant SHINHOLSTER,	Court Date 02/16/2016	WPD1601
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	PAY ONLINE AT WWW.CITYOFWALTHOURVILLE.COM OR CALL 912-368 WEATHER (A) ROAD (B) TRAFFIC LIGHTING COMMERCIAL VIOLATION INFORM Closer (B) Or Concrete Chapter (Chapter Chapter) (B) Concrete Chapter (Chapter Chapter) (B) (Chapter Chapter) (Chapter Chapter) (Chapter Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter Chapter Chapter Chapter Chapter Chapter Chapter (Chapter Chapter (Chapter Chapter (Chapter Chapter (Chapter Chapter	SS NR-G		Violation 40-6-72	VONSHA		понттем
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	Court Date 02/1	6/2016			Court Time					
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	Case-No.	Ticket-	·No. V	iolation		DL#	· · · · · · · · · · · · · · · · · · ·	GA-0214976	91	
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WPD1	6010205	WALTHOURVIL	LE MUNIC	IPAL COURT		T00022917
Court Date 02/	16/2016	Co	urt Time	3:00 P.M.	<u>.</u>	
Defendant UN	DERWOOD, MARY SIMS			DOB		
Case-No.	Ticket-No.	Violation		DL#	GA-051738	3736
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Melissa A. Jones <mjones@cityofwalthourville.com>

LATARCHIA MARSHA' LEE

4 messages

Jeff Miller <miller@gapost.org>
To: mjones@cityofwalthourville.com

Wed, Jan 10, 2018 at 2:31 PM

See attached.

Jeff Miller
Director-Certification & Training Standards
Georgia Peace Officer Standards and Training Council
Post Office Box 349
Clarkdale, Georgia 30111-0349
770-732-6788 office
770-842-5707 cell
jmiller@gapost.org

Letter to Melissa Jones re Latarchia Lee.pdf 91K

Melissa A. Jones <mjones@cityofwalthourville.com>
To: Jeff Miller <jmiller@gapost.org>

Wed, Jan 10, 2018 at 2:37 PM

Thank you so much Mr. Miller for the prompt response. Are you able to see who signed to attest Lee's waiver for 2015?

Meilssa A. Jones City Clerk/HR Administrator P. O. Box K Walthourville, GA 31333 Office: (912) 368-7501 Cell: (912) 532-3375 Fax: (912) 368-2803 [Quoted text hidden]

Jeff Miller < jmiller@gapost.org>

To: "Melissa A. Jones" <mjones@cityofwalthourville.com>

Wed, Jan 10, 2018 at 2:39 PM

BERNIE QUARTERMAN

[Quoted text hidden]

Melissa A. Jones <mjones@cityofwaithourville.com>
To: Jeff Miller <jmiller@gapost.org>

Wed, Jan 10, 2018 at 2:42 PM

Thank you.

Melissa A. Jones City Clerk/HR Administrator P. O. Box K Walthourville, GA 31333 Office: (912) 368-7501 Cell: (912) 532-3375 Fax: (912) 368-2803

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Officer Career Training Deficiency

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Name 0211974 LATARCHIA MARSHA' LEE

Deficient Training Years

Year Firearms Deadly Force De-escalation Community Policing Total Training

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01.23.18

On 12.29.17 I was told by Sgt. Wright that Ofc. Lee would not be in to work. Sgt. Wright told me that she was under Doctor Care and she would be out for three days. I called Ofc. Lee and she stated that she was sick and she would keep us Inform of her status. After Ofc. Lee did not come in to work on 01.03.18 I tried to call her and did not get a hold of her. I left messages on her answer machine and Sgt. Wright briefed me that he had been leave message for her. On 01.22.18 I got in touch with Ofc. Lee and she stated that she will be going in told her to bring her keys and equipment in.. Nothing further.

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Walthourville, GA Police départment.



POLICE OFFICER

Job Summary

This is the first rank of the Walthourville Police force that includes sworn peace officers. Sworn officers are expected to demonstrate competency in law enforcement procedures. Officers work under the general supervision of an assigned Sergeant. They perform a wide range of law enforcement functions including making arrests, issuing traffic tickets, crowd control and investigative work to promote public safety and security, crime prevention and general enforcement of the law.

Minimum Requirements:

- •Must be a U.S. Citizen
- ·Must have a high school diploma or GED equivalent
- ·Must possess a valid Georgia Class C driver's license
- ·Must be 21 years of age
- ·No felony convictions during your lifetime
- •No discharge from any military organization less than an honorable discharge
- •No termination for cause from a local, state or federal civil service or merit system job
- •No current financial obligations/contract to any law enforcement agency or department
- •Candidate must have been previously certified by Georgia Peace Officers Standards and Training as a Peace Officer in good standing or a recent graduate of Basic Mandate.
- *The above requirements are not all-inclusive. *

License Required

Possession of a valid Georgia Driver's License

Work Functions and Responsibilities

- Provide for public safety by maintaining order, responding to emergencies, protecting people and property, enforcing motor vehicle and criminal laws, and promoting good community relations.
- 2) Identify, pursue, and arrest suspects and perpetrators of criminal acts.
- 3) Record facts to prepare reports that document incidents and activities.
- 4) Review facts of incidents to determine if criminal act or statute violations were involved.
- 5) Render aid to accident victims and other persons requiring first aid for physical injuries.
- 6) Testify in court to present evidence or act as witness in traffic and criminal cases.
- 7) Evaluate complaint and emergency-request information to determine response requirements.
- Patrol specific area on foot, horseback, or motorized conveyance, responding promptly to calls for assistance.



City0335

- 9) Investigate traffic accidents and other accidents to determine causes and to determine if a crime has been committed.
- 10) Photograph or draw diagrams of crime or accident scenes and interview principals and eyewitnesses.
- 11) Monitor traffic to ensure motorists observe traffic regulations and exhibit safe driving procedures.
- 12) Relay complaint and emergency-request information to appropriate agency dispatchers.
- 13) Issue citations or warnings to violators of motor vehicle ordinances.
- 14) Direct traffic flow and reroute traffic in case of emergencies.
- 15) Inform citizens of community services and recommend options to facilitate longer-term problem resolution.
- 16) Monitor, note, report, and investigate suspicious persons and situations, safety hazards, and unusual or illegal activity in patrol area.
- 17) Provide road information to assist motorists.
- 18) Process prisoners, and prepare and maintain records of prisoner bookings and prisoner status during booking and pre-trial process.
- 19) Inspect public establishments to ensure compliance with rules and regulations.
- 20) Enforces vehicle parking and operating laws; uses radar and/or lidar units to enforce speed laws, concentrating efforts on high-accident locations, citizen complaint locations, and locations where officers have observed high speed issuing traffic summons for violations

This list is not inclusive, other duties may be assigned. The City of Walthourville wants to ensure the safety of all residents, continuous training and certifications will be obtained by all City of Walthourville officers.

Special Requirements

Must be available to work morning, evenings, weekends, holidays, and overtime when required to meet operational needs. Positions within this class will require employees to work during inclement weather, regardless of the City's operational status.

Knowledge-Skills Abilities Required to Perform Satisfactorily

Knowledge of:

- 1. Law and government-knowledge of laws, legal codes, court procedures, precedents, government Regulations, executive orders, and agency rules.
- 2. Public safety and security- knowledge of relevant equipment, policies, procedures, and strategies to promote effective local, state, or national security operations for the protection of people, date property, and institutions.
- Customer and personal service-knowledge of principles and processes for providing customer and personal service; this includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.

Ability to:

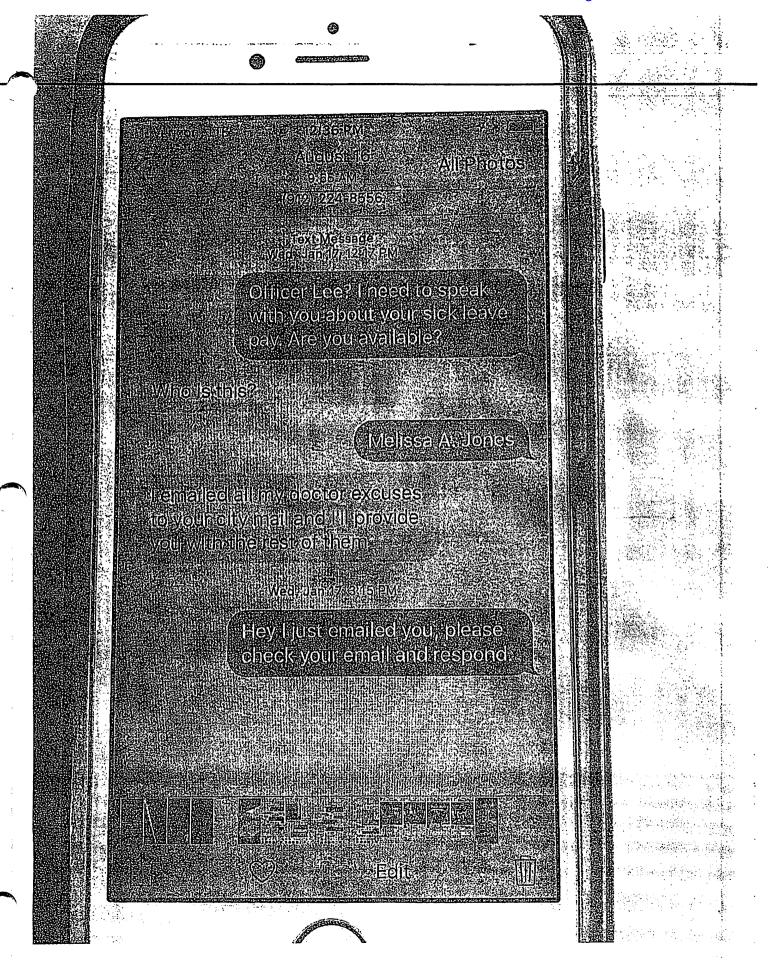
- 1. Listen to and understand information and ideas presented through spoken words and sentences.
- 2. Combine pieces of information to form general rules or conclusions (inductive reasoning.)
- 3. Communicate information and ideas in speaking so others will understand.
- 4. To see details at a close range (within a few feet of the observer).
- 5. To see details at a distance.

- 6. Identify and understand the speech of another person.
- 7. Speak clearly so others can understand you.
- 8. Apply general rules to specific problems to produce answers that make sense.
- 9. Tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.
- 10. Identify or detect a known pattern that is hidden in other distracting material.
- 11. Choose quickly between two or more movements in response to two or more different signals (lights, sounds, pictures). It includes the speed with which the correct response is started with the hand, foot, or other body part.
- 12. Quickly respond to a signal when it appears.
- 13. Shift back and forth between two or more activities or sources of information.
- 14. Quickly make sense of, combine, and organize information into meaningful patterns.
- 15. Quickly and repeatedly adjust the controls of a machine or a vehicle to exact positions.
- 16. Coordinate two or more limbs while sitting, standing, or lying down. It does not involve performing the activities while the whole body is in motion.
- 17. Time your movements or the movement of a piece of equipment in anticipation of changes in the Speed and/or direction of a moving object or scene.
- 18. Arrange things or actions in a certain order or pattern according to a specific rule or set of rules.
- 19. Communicate information and ideas in writing so others will understand.
- 20. Read and understand information and ideas presented in writing.
- 21. Concentrate on a task over a period of time without being distracted.
- 22. Quickly and accurately compare similarities and differences among sets of letters, numbers, objects, pictures or patterns. The things to be compared may be presented at the same time or one after the other. The ability also includes comparing a presented object with a remembered object.
- 23. Know your location in relation to the environment of to know where other objects are in relation to you.
- 24. Generate or use different sets of rules for combining or grouping things in different ways.
- 25. Quickly move the arts and legs.
- 26. Judge which of several objects is closer or farther away from you, or to judge the distance between you and an object.
- 27. Exert yourself physically over long periods of time without getting winded or out of breath.
- 28. Exert maximum force to lift, push, pull, or carry objects.
- 29. See under low light conditions.
- 30. See objects or movements of objects to one's side when the eyes are looking ahead.

I have received, reviewed and fully understand the job description for a Police Officer. I further understand that I am responsible for the satisfactory execution of the essential functions described therein, under any and all conditions as described.
therein, under any and all conditions as described.

Employee Name:	Date:	_
Employee Signature:		

Wortk/Schöof Excuse Lo LMC Emergency LiDépartment 2720 Sunsature Boulevard West Columbia SC 29169	January 3, 2018 Patient: Catarania Ma Date of Birth: 2/16/1978 Date of Visit: 1/3/2018	(a)IB/Log		
Phone 803-791-235 Fax: 803-939-4578	0 To Whom It May Concern Latershie Lee Was seen and She has the following restric	trealed at LMC Emerge lien(s) notwork for two t	ncy Department on Jaya	1/3/2018,
	She may return to work or a	chdol <u>r</u> áh 01/05/18		
	Hobbs, Brittany A∵LIPN			
LEXINGTON MEDICAL CENTER Emergency Department	y vyest columbia, SU 29 (69)			
- INTERNATIONAL PROPERTY OF THE PROPERTY OF TH	ji., progency Department of S.L. Delvar 12/241 yr	J28	was examined and	Lipedled in is advised
	wark kahadi dalak reduked ola	nse followell) with your. Sincerbly		



Patty Paul

From:

Patty Paul

Sent

Monday, July 30, 2018 5:40 PM

To: Subject: Charles Herman

Attachments:

FW: Final document Lee Final document.pdf

From: Melissa A. Jones <mjones@cityofwalthourville.com>
Sent: Wednesday, January 17, 2018 3:17 PM
To: Latarchia Lee <llee@cityofwalthourville.com>

Subject: Final document

Good afternoon Officer Lee,

Please review the attached document. You submitted several doctor excuses; however, I do not have one for December 31st. Will you submit that so we can prepare payroll?

Your payroll check will be printed and available for you to pick up once I receive the doctor note for December 31st. If you do not have an excuse for that day, please let me know. I will need you to bring in your gun, uniforms, car/office keys, and badge before I can release your payroll check.

Please let me know if you have any questions.

Melissa A. Jones City Clerk/HR Administrator P. O. Box K Walthourville, GA 31333 Office: (912) 368-7501

Cell: (912) 532-3375 Fax: (912) 368-2803

TO STREET
MEDICAL CENTER ((803):791;2350) ### Emar/gency 'D spartment' ((803):791;2350) ### Was examined and 'treated in and is advised Mr/Misr/Ms
MEDICAL CENTER ((803):791;2350) ### Emar/gency 'D spartment' ((803):791;2350) ### Was examined and 'treated in and is advised Mr/Misr/Ms
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Sincerely. Wes Shuler, M.D Medical Director

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Mellsea A. Jones <mjones@cityofwaithourville.com>

(no subject)

Laterchia Lee <iee@cityofwalthourville.com>

Mon, Jan 22, 2018 at 12:21 PM
To: "Melissa A. Jones" <mjones@cityofwalthourville.com>, Luciria Lovette <ilovette@cityofwalthourville.com>, Larry Baker
<ibaker@cityofwalthourville.com>, Patricia Green <pgreen@cityofwalthourville.com>

Lea Response 1-22-2017 (1).docx 11K

Mrs. Jones

I have been under medical since December 26th 2017. I have not conducted any law enforcement duties since this date. During this time I was short (2) hours my annual training and did not complete it by 31th December 2017 which placed me in a suspended status until the (2) hours are completed and the wavier fee is paid. This is a normal procedure that POST has put in place for officers who do not meet their training due to different circumstances.

I have now completed the (2) training and in the process of paying the wavier fee. Maam I am still under medical. I will pay the wavier and inform you before my return to work. I asked about my pay earlier but did not get a response. Can you inform me if I will be paid or not. The last few month has been really work related stress with the issue you seem to involve me in particularly. I don't feel that the threat to my employment is necessary for something that is being corrected by me. I ask for this pressure to stop.

Thank You

Officer L. Lee